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VILLAINY DETECTED

ALSO BY

LILLIAN DE LA TORRE

ELIZABETH IS MISSING:

An Eighteenth Century Mystery

DR. SAM: JOHNSON, DETECTOR

VILLAINY DETECTED

BEING A COLLECTION of the most
sensational TRUE CRIMES and the
most *notorious* REAL CRIMINALS
that blotted the name of BRITAIN in
the Years 1660 to 1800

BY VARIOUS HANDS

The WHOLE collected together and
embellished with OBSERVATIONS
historical, moral, and critical

BY

LILLIAN DE LA TORRE

NEW YORK: LONDON

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DEDICATION

to JOSÉ ROLLIN and LILLIAN REINHARDT DE LA TORRE BUENO

Sir and Madam:

She who is yours because you made her, prays that you will accept of this Book of her making. Tho' it cannot discharge, yet 'twill serve to acknowledge her Debt to them, who to a proud Heritage added a personal Example; whose very Presence was a liberal Education; who taught her the Secrets of Industry, of Curiosity, and, most of all, of Happiness. The Sun which shines upon a Childhood, may illuminate a whole Life; which Proposition finds living Demonstration in,

Sir and Madam,
Your obedient, affectionate Daughter,
LILLIAN DE LA TORRE

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Introduction

IN England the years from 1660 to 1800 were one long festival of crime. The horse-stealer, the poacher, the smuggler, the house-breaker, the foot-pad and he on horseback, all ran a merry course without let or hindrance. The cly-faker priggled the gentleman's wive, the Abram cove cozened the credulous with his faked fits, the practitioners of the running-smobble jostled the helpless shop-keeper and his intimidated customers and made off with his goods in the confusion.

The mob still took sides with the criminal. They might hustle the cly-faker to the pump, if they caught him with his hand actually in somebody's pocket; but against the law they would defend him with any weapon, from a false oath to a stout cudgel. The darling of their hearts was the highwayman. Even towards the end of the century, a small boy like Francis Place might see these heroes, bedizened and swaggering, drinking with their doxies at the Dog and Duck, or mounting their horses at twilight and taking to the pad amid the good wishes of the admiring trulls. Well might they swagger. Many were the legends of their charm, their chic, their wit and humour, their Robin-Hood principles and intrepid port. They were beloved of high and low alike. When James Maclaine the Gentleman Highwayman went to Newgate in 1750 after robbing Horace Walpole on the highway, Lord Mountford himself led the pilgrimage down to the Old Bailey, and so suffocating was the press of fashionable ladies that the hero fainted twice for want of air. On the gallows, a short time after, he died of the same affliction.

The climate of the time was equally favourable to private

ebullitions of eccentricity of the most irregular and fascinating description. The Duchess of Kingston coolly married a second nobleman without bothering to be well shut of the first (and lesser) one. A Scotch court accepted the supernal testimony of the murdered man's ghost. A popular clergyman quietly augmented his income by forgery. Literary forgery flourished. Wicked Captain Annesley made himself his brother's heir by the simple process of seizing his brother's son and transporting the boy to the American plantations; when the luckless youth turned up thirteen years later, the remedy which immediately occurred to the fraudulent nobleman was to have him run down by his coach-and-six. On every hand duellists blazed away at each other; it was lucky for them that their clumsy firearms were in the habit of hanging fire for an appreciable fraction of a second, during which a man could dodge and so escape the bullet—if his opponent had only aimed straight. In remote villages and locked city houses sadists were able without interference to practise upon their children, servants, and apprentices, and they did so with a zeal worthy of a better cause.

Where was the law? Adding to the confusion. In each parish were the constables and the watch. The constables, respectable tradesmen appointed for a time to look to the public good, were likely to be too engrossed in their own. The watch were decrepit old characters, barely able to stump their rounds and cry their traditional cry: "Two o'clock of a cloudy morning, and all's we-e-e-ell." If all were not well, they were helpless. London town seethed, at night, with roystering blades who called themselves "Nickers" or "Scowrrers," or, with a bow to the savages of the New World, "Mohocks." Nothing appealed more to these fun-loving lads than persecuting the poor old "Charlies." To beat a watchman and steal his lanthorn and staff was matter for a laugh any time. Even more exquisite was to catch him in his sentry box and over-set it on him, leaving him to struggle under it. To suppose that any of these hapless old fellows could ever catch a criminal was an exquisite jest in itself.

Catching criminals was the business of the professional thief-taker. This guardian of the public weal was responsible to no official, being in business strictly for himself. His emoluments

were the standing rewards for arrest and conviction which the parishes would post, often supplemented by offers from the individual victims of outrage. Being a man of business, he found it to his advantage to wait till his victim "weighed forty pounds"—that is, until the injudicious criminal became worth the maximum in rewards by going on the highway, which raised the price on his head, and especially by being so misguided as to do so in a parish like Deptford, which was unusually lavish. When the thieving trade grew slack, a really up-and-coming thief-taker could be counted on to stir up some business. He might swear away an innocent life or two; they brought in as much in rewards as if they were guilty. He might set on a not-too-bright scamp to a crime, and then take him redhanded. He might supplement this income by judiciously looking the other way when a well-heeled thief plied his trade. A real genius like Jonathan Wild was able, in the guise of a thief-taker, to rule every criminal in London. This Proteus was by turns master mind, go-between in the ransom of stolen goods, fence and thief-maker; when some luckless rascal had incurred his enmity or gotten out of hand, he appeared as thief-taker; in Newgate he was first under-keeper, and then prisoner in the condemned hold.

It took a great and public-spirited magistrate like Henry Fielding to inaugurate the Bow Street runners, and another great man like his blind brother John to manage them. But their only contribution to law and order was to catch thieves in a hurry. If the victim did not come to them to lay a complaint, their boots and spurs and the horses they had ready saddled for the pursuit could avail them nothing. They were not equipped at all for the detection of crime. They had never heard the word *detective*; there was no such thing until the next century was one-third over. If you said a man was guilty of this or that, they would catch him for you; after that it was up to you to prosecute him.

Over this London of thief and thief-taker brooded the "three-legged mare," the gallows on Tyburn Hill, on which rode thief-taker and thief, murderer and forger, twenty at a time, enjoying, according to the macabre wit of the day, "a

heartly choke (artichoke) with *caper* sauce." The criminal's last day on earth was his day in the sun. Vast mobs turned out to admire his behaviour as he rode his last mile in the hangman's cart, seated on his coffin and dressed to the nines. Malefactors with a sense of the dramatic favoured an appropriate suit of mourning, with crape, weepers, black gloves, and all. Sometimes the cart might contain a doomed girl dressed in white, with a great silk scarf and a basket of oranges and flowers, from which she scattered favours all the way, or a natty lad habited as a bridegroom, with wig and laced hat and lawn ruffles and a love-knot of ribbon, and a debonair nosegay to flourish. On the porch of St. Sepulchre the fancy ladies waited with flowers to bestow upon their favoured knights of the pad. All was holiday gaiety, and the doomed criminals were much admired. Under the gallows each had the spotlight for his last dying speech and confession, a mass of proper sentiments and warnings against Sabbath-breaking and lewd companions, professionally ghosted for the sufferer in Addisonian prose which many a dishonest lad must have been gravelled by. It is a hard thing indeed when a man cannot pronounce his own last words.

In that whole vast mob, as they approved the sufferer's proper sentiments, and were harrowed by pity and terror when the cart drove off and left him to dangle between life and death for long and horrible minutes, there was seldom, if ever, even one who felt any curiosity as to whether he were innocent or guilty. The strong-stomached men of the eighteenth century got entertainment from the violent mystery of death, but very little from the mystery that might hang over a man's deeds during life. Nevertheless, the eighteenth century had its mysteries, solved and unsolved—the faked alibi, the corpse in the locked room, the double life, the false confession, the disputed inheritance, the unexplained disappearance. In this book, as recorded with solemn piety by contemporaries, or with gusto by their more ribald descendants, I have gathered together a double handful from the calendar of crime in the eighteenth century.

L. de la T.

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THREE PEOPLE WERE HANGED, upon the confession of one of them, for the murder of a man who wasn't dead. This unbelievable fact is only one of the mysteries connected with the curious disappearance of William Harrison of Campden. Nobody believed William Harrison's story of where he had been, and neither will you; but nobody could give any better account of his proceedings. Everybody wondered why his wife hanged herself after his return, "being," records Anthony à Wood with sectarian malice, "a snotty covetuous Presbyterian;" a remark thoroughly in the spirit of the times, chiming sweetly with Judge "Hanging" Jeffreys' better-known pronunciamiento: "Show me a Presbyterian, and I'll show thee a lying knave."

Sectarian malice aside, there is a lying knave somewhere in this famous case. Many a writer since Anthony à Wood has puzzled his brains over it. Some of its implications cast light on my choice of the year of the Restoration, 1660, to begin my record of villainy detected. No one has told the story with so much insight and gusto as Andrew Lang, whose way with the fey and the mysterious ought to be better known to the new generation of crime readers. His account comes from a book every page of which I prize highly, his *Historical Mysteries*.

The Campden Mystery

BY ANDREW LANG

I

THE ordinary historical mystery is at least so far clear that one or other of two solutions must be right, if we only knew which. Perkin Warbeck was the rightful King, or he was an impostor. Giacompo Stuardo at Naples (1669) was the eldest son of Charles II., or he was a humbug. The Man in the Iron Mask was *certainly* either Mattioli or Eustache Dauger. James VI. conspired against Gowrie, or Gowrie conspired against James VI., and so on. There is reason and human nature at the back of these puzzles. But at the back of the Campden mystery there is not a glimmer of reason or of sane human nature, except on one hypothesis, which I shall offer. The occurrences are, to all appearance, motiveless as the events in a feverish dream. 'The whole Matter is dark and mysterious; which we must therefore leave unto Him who alone knoweth all Things, in His due Time, to reveal and to bring to Light.'

So says the author of 'A True and Perfect Account of the Examination, Confession, Trial, and Execution of *Joan Perry*, and her two Sons, *John* and *Richard Perry*, for the Supposed Murder of *Will Harrison*, Gent., Being One of the most remarkable Occurrences which hath happened in the Memory of Man. Sent in a Letter (by *Sir Thomas Overbury*, of *Burton*, in the County of *Gloucester*, Knt., and one of his Majesty's Justices of the Peace) to *Thomas Shirly*, Doctor of Physick, in London. Also Mr. *Harrison's* Own account,' &c. (London.

Reprinted from *Historical Mysteries*, by Andrew Lang, by permission of Longmans, Green & Co., Ltd., London.

Printed for John Atkinson, near the Chapter House, in *St. Paul's Church-Yard*. No date, but apparently of 1676.)

Such is the vast and breathless title of a pamphlet which, by undeserved good luck, I have just purchased. The writer, Sir Thomas Overbury, 'the nephew and heir,' says Mr. John Paget, 'of the unhappy victim of the infamous Countess of Somerset' (who had the elder Overbury poisoned in the Tower), was the Justice of the Peace who acted as *Juge d'Instruction* in the case of Harrison's disappearance.*

To come to the story. In 1660, William Harrison, Gent., was steward or 'factor' to the Viscountess Campden, in Chip-ping Campden, Gloucestershire, a single-streeted town among the Cotswold hills. The lady did not live in Campden House, whose owner burned it in the Great Rebellion, to spite the rebels; as Castle Tirrim was burned by its Jacobite lord in the '15. Harrison inhabited a portion of the building which had escaped destruction. He had been for fifty years a servant of the Hickeses and Campdens, his age was seventy (which deepens the mystery), he was married, and had offspring, including Edward, his eldest son.

On a market day, in 1659, Mr. Harrison's house was broken into, at high noon, while he and his whole family were 'at the Lecture,' in church, a Puritan form of edification. A ladder had been placed against the wall, the bars of a window on the second story had been wrenched away with a ploughshare (which was left in the room), and 140*l.* of Lady Campden's money were stolen. The robber was never discovered—a curious fact in a small and lonely village. The times, however, were disturbed, and a wandering Cavalier or Roundhead soldier may have 'cracked the crib.' Not many weeks later, Harrison's servant, Perry, was heard crying for help in the garden. He showed a 'sheep-pick,' with a hacked handle, and declared that he had been set upon by two men in white, with naked swords, and had defended himself with his rustic tool. It is curious that Mr. John Paget, a writer of great acuteness, and for many years police magistrate at Hammersmith, says nothing of the

* Paget, *Paradoxes and Puzzles*, p. 342. Blackwoods, 1874.

robbery of 1659, and of Perry's crazy conduct in the garden.* Perry's behaviour there, and his hysterical invention of the two armed men in white, give the key to his character. The two men in white were never traced of course, but, later, we meet three men not less flagitious, and even more mysterious. They appear to have been three 'men in buckram.'

At all events, in quiet Campden, adventures obviously occurred to the unadventurous. They culminated in the following year, on August 16, 1660. Harrison left his house in the morning (?) and walked the two miles to Charringworth to collect his lady's rents. The autumn day closed in, and between eight and nine o'clock old Mrs. Harrison sent the servant, John Perry, to meet his master on the way home. Lights were also left burning in Harrison's window. That night neither master nor man returned, and it is odd that the younger Harrison, Edward, did not seek for his father till very early next morning: he had the convenience, for nocturnal search, of a moon which rose late. In the morning, Edward went out and met Perry, returning alone: he had not found his master. The pair walked to Ebrington, a village half way between Campden and Charringworth, and learned that Harrison had called, on the previous evening, as he moved home through Ebrington, at the house of one Daniel. The hour is not given, but Harrison certainly disappeared when just beyond Ebrington, within less than a mile from Campden. Edward and Perry next heard that a poor woman had picked up on the highway, beyond Ebrington, near some whins or furze, a hat, band, and comb, which were Harrison's; they were found within about half a mile of his own house. The band was bloody, the hat and comb were hacked and cut. Please observe the precise words of Sir Thomas Overbury, the justice who took the preliminary examinations: 'The Hat and Comb being hacked and cut, and the Band bloody, but nothing more could there be found.' Therefore the hat and comb were not on Harrison's head when they were hacked and cut: otherwise they must have

* See his *Paradoxes and Puzzles*, pp. 337-370, and, for good reading, see the book *passim*.

been blood-stained; the band worn about the throat was bloody, but there was no trace of blood on the road. This passage contains the key to the puzzle.

On hearing of the discovery of these objects all the people rushed to hunt for Harrison's corpse, which they did not find.

An old man like Harrison was not likely to stay at Charringworth very late, but it seems that whatever occurred on the highway happened after twilight.

Suspicion fell on John Perry, who was haled before the narrator, Sir Thomas Overbury, J.P. Perry said that after starting for Charringworth to seek his master on the previous evening, about 8.45 P.M., he met by the way William Reed of Campden, and explained to him that as he was timid in the dark he would go back and take Edward Harrison's horse and return. Perry did as he had said, and Reed left him 'at Mr. Harrison's Court gate.' Perry dallied there till one Pierce came past, and with Pierce (he did not say why) 'he went a bow's shot into the fields,' and so back once more to Harrison's gate. He now lay for an hour in a hen house, he rose at midnight, and again—the moon having now risen and dispelled his fears—he started for Charringworth. He lost his way in a mist, slept by the road-side, proceeded in the dawn to Charringworth, and found that Harrison had been there on the previous day. Then he came back and met Edward Harrison on his way to seek his father at Charringworth.

Perry's story is like a tale told by an idiot, but Reed, Pierce, and two men at Charringworth corroborated as far as their knowledge went. Certainly Perry had been in company with Reed and Pierce, say between nine and ten on the previous night. Now, if evil had befallen Harrison it must have been before ten at night; he would not stay so late, if sober, at Charringworth. Was he usually sober? The cool way in which his wife and son took his absence suggests that he was a late-wandering old boy. They may have expected Perry to find him in his cups and tuck him up comfortably at Charringworth or at Ebrington.

Till August 24 Perry was detained in prison, or, odd to say, at the inn! He told various tales; a tinker or a servant had murdered his master and hidden him in a bean-rick, where, on search being made, *non est inventus*. Harrison, and the rents he had collected, were vanished in the azure. Perry now declared that he would tell all to Overbury, and to no other man. To him Perry averred that his mother and brother, Joan and Richard Perry, had murdered Harrison! It was his brother who, by John Perry's advice and connivance, had robbed the house in the previous year, while John 'had a Halibi,' being at church. The brother, said John, buried the money in the garden. It was sought for, but was not found. His story of the 'two men in white,' who had previously attacked him in the garden, was a lie, he said. I may add that it was not the lie of a sane man. Perry was conspicuously crazy.

He went on with his fables. His mother and brother, he declared, had often asked him to tell them when his master went to collect rents. He had done so after Harrison started for Charringworth on the morning of August 16. John Perry next gave an account of his expedition with his brother in the evening of the fatal day, an account which was incompatible with his previous tale of his doings and with the authentic evidence of Reed and Pierce. Their honest version destroyed Perry's new falsehood. He declared that Richard Perry and he had dogged Harrison, as he came home at night, into Lady Campden's grounds; Harrison had used a key to the private gate. Richard followed him into the grounds; John Perry, after a brief stroll, joined him there and found his mother (how did she come thither?) and Richard standing over the prostrate Harrison, whom Richard incontinently strangled. They seized Harrison's money and meant to put his body 'in the great sink by Wallington's Mill.' John Perry left them, and knew not whether the body was actually thrown into the sink. In fact, *non est inventus* in the sink, any more than in the bean-rick. John next introduced his meeting with Pierce, but quite forgot that he had also met Reed, and did not account for that part of his first story, which Reed and Pierce had both

corroborated. The hat, comb, and band John said that he himself had carried away from Harrison's body, had cut them with his knife, and thrown them into the highway. Whence the blood on the band came he neglected to say.

On the strength of this impossible farrago of insane falsehoods, Joan and Richard Perry were arrested and brought before Overbury. Not only the 'sink' but the Campden fish-pools and the ruinous parts of the house were vainly searched in quest of Harrison's body. On August 25 the three Perrys were examined by Overbury, and Richard and the mother denied all that John laid to their charge. John persisted in his story, and Richard admitted that he and John had spoken together on the morning of the day when Harrison vanished, 'but nothing passed between them to that purpose.'

As the three were being brought back from Overbury's house to Campden an unfortunate thing happened. John was going foremost when Richard, a good way behind, dropped 'a ball of inkle from his pocket.' One of his guards picked it up, and Richard said that it 'was only his wife's hair-lace.' At one end, however, was a slip-knot. The finder took it to John, who, being a good way in front, had not seen his brother drop it. On being shown the string John shook his head, and said that 'to his sorrow he knew it, for that was the string his brother strangled his master with.' To this circumstance John swore at the ensuing trial.

The Assizes were held in September, and the Perrys were indicted both for the robbery in 1659 and the murder in 1660. They pleaded 'Guilty' to the first charge, as some one in court whispered to them to do, for the crime was covered by the Act of Pardon and Oblivion passed by Charles II. at his happy Restoration. If they were innocent of the robbery, as probably they were, they acted foolishly in pleading guilty. We hear of no evidence against them for the robbery, except John's confession, which was evidence perhaps against John, but was none against *them*. They thus damaged their case, for if they were really guilty of the robbery from Harrison's house, they were the most likely people in the neighbourhood to have

robbed him again and murdered him. Very probably they tied the rope round their own necks by taking advantage of the good King's indemnity. They later withdrew their confession, and probably were innocent of the theft in 1659.

On the charge of murder they were not tried in September. Sir Christopher Turner would not proceed 'because the body of Harrison was not found.' There was no *corpus delicti*, no evidence that Harrison was really dead. Meanwhile John Perry, as if to demonstrate his lunacy, declared that his mother and brother had tried to poison him in prison! At the Spring Assizes in 1661, Sir B. Hyde, less legal than Sir Christopher Turner, did try the Perrys on the charge of murder. How he could do this does not appear, for the account of the trial is not in the Record House, and I am unable at present to trace it. In the *Arminian Magazine*, John Wesley publishes a story of a man who was hanged for murdering another man, whom he afterwards met in one of the Spanish colonies of South America. I shall not here interrupt the tale of the Perrys by explaining how a hanged man met a murdered man, but the anecdote proves that to inflict capital punishment for murder without proof that murder has been committed is not only an illegal but an injudicious proceeding. Probably it was assumed that Harrison, if alive, would have given signs of life in the course of nine or ten months.

At the trial in spring all three Perrys pleaded 'not guilty.' John's confession being proved against him, 'he told them he was then mad and knew not what he said.' There must have been *some* evidence against Richard. He declared that his brother had accused others besides him. Being asked to prove this, he answered 'that most of those that had given evidence against him knew it,' but named none. So evidence had been given (perhaps to the effect that Richard had been flush of money), but by whom, and to what effect, we do not know.

The Perrys were probably not of the best repute. The mother, Joan, was supposed to be a witch. This charge was seldom brought against popular well-living people. How intense was the fear of witches, at that date, we know from

the stories and accounts of trials in Glanvil's *Sadducismus Triumphatus*. The neighbours probably held that Joan Perry would, as a witch, be 'nane the waur o' a hanging.' She was put to death first, under the belief that any hypnotic or other unholy influence of hers, which prevented her sons from confessing, would be destroyed by her death. We are not aware that post-hypnotic suggestion is removed by the death of the suggester; the experiment has not been tried. The experiment failed in Joan's case. Poor Richard, who was hanged next, could not induce the 'dogged and surly' John to clear his character by a dying declaration. Such declarations were then held irrefragable evidence, at least in Scotland, except when (as in the case of George Sprot, hanged for the Gowrie conspiracy) it did not suit the Presbyterians to believe the dying man. When John was being turned off, he said that 'he knew nothing of his master's death, nor what was become of him, but they might hereafter (possibly) hear.' Did John know something? It would not surprise me if he had an inkling of the real state of the case.

II

They *did* hear; but what they heard, and what I have now to tell, was perfectly incredible. When 'some' years (two apparently) had passed, Will Harrison, Gent., like the three silly ewes in the folk-rhyme, 'came hirpling hame.' Where had the old man been? He explained in a letter to Sir Thomas Overbury, but his tale is as hard to believe as that of John Perry.

He states that he left his house in the afternoon (not the morning) of Thursday, August 16, 1660. He went to Charringworth to collect rents, but Lady Campden's tenants were all out harvesting. August seems an odd month for rent-collecting when one thinks of it. They came home late, which delayed Harrison 'till the close of the evening.' He only received 23*l.*, which John Perry said, at his first examination in 1660, had been paid by one Edward Plaisterer, and Plaisterer corroborated. Harrison then walked homeward, in the dusk probably,

and, near Ebrington, where the road was narrow, and bordered by whins, 'there met me one horseman who said "*Art thou there?*"' Afraid of being ridden over, Harrison struck the horse on the nose, and the rider, with a sword, struck at him and stabbed him in the side. (It was at this point of the road, where the whins grew, that the cut hat and bloody band were found, but a thrust in the side would not make a neckband bloody.) Two other horsemen here came up, one of them wounded Harrison in the thigh. They did not now take his 23*l.*, but placed him behind one of them on horseback, handcuffed him, and threw a great cloak over him.

Now, is it likely that highwaymen would carry handcuffs which closed, says Harrison, with a spring and a snap? The story is pure fiction, and bad at that. Suppose that kidnapping, not robbery, was the motive (which would account for the handcuffs), what had any mortal to gain by kidnapping, for the purpose of selling him into slavery, a 'gent.' of seventy years of age?

In the night they took Harrison's money and 'tumbled me down a stone-pit.' In an hour they dragged him out again, and he naturally asked what they wanted with him, as they had his money already. One of these miscreants wounded Harrison again, and—stuffed his pockets full of 'a great quantity of money.' If they had a great quantity of money, what did they want with 23*l.*? We hear of no other robberies in the neighbourhood, of which misdeeds the money might have been the profits. And why must Harrison carry the money? (It has been suggested that, to win popular favour, they represented themselves as smugglers, and Harrison, with the money, as their gallant purser, wounded in some heroic adventure.)

They next rode till late on August 17, and then put Harrison down, bleeding and 'sorely bruised with the carriage of the money,' at a lonely house. Here they gave their victim broth and brandy. On Saturday they rode all day to a house, where they slept, and on Sunday they brought Harrison to Deal, and laid him down on the ground. This

was about three in the afternoon. Had they wanted to make for the sea, they would naturally have gone to the *west* coast. While one fellow watched Harrison, two met a man, and 'I heard them mention seven pounds.' The man to whom seven pounds were mentioned (Wrenshaw was his name, as Harrison afterwards heard—where?) said that he thought Harrison would die before he could be put on board a ship. *Que diable allait-il faire dans cette galère?* Harrison was, however, put on board a casual vessel, and remained in the ship for six weeks.

Where was the land to which the ship would go?

Far, far ahead is all the sailors know!

Harrison does not say into what 'foam of perilous seas, in faery lands forlorn' the ship went wandering for six mortal weeks. Like Lord Bateman:

He sailéd East, and he sailéd West,
Until he came to famed Turkee,
Where he was taken and put in prison,
Till of his life he was wear—ee!

'Then the Master of the ship came and told me, *and the rest who were in the same condition*, that he discovered three Turkish ships.' 'The rest who were in the same condition'! We are to understand that a whole cargo of Harrisons was kidnapped and consigned captive to a vessel launched on ocean, on the off chance that the captain might meet three Turkish rovers who would snap them up. At this rate of carrying on, there must have been disappearances as strange as Harrison's, from dozens of English parishes, in August 1660. Had a crew of kidnappers been taking captives for purposes of private fiscal policy, they would have shipped them to the Virginian plantations, where Turkish galleys did not venture, and they would not have kidnapped men of seventy. Moreover, kidnappers would not damage their captives by stabbing them in the side and thigh, when no resistance was made, as was done to Harrison.

'The rest who were in the same condition' were 'dumped

down' near Smyrna, where the valuable Harrison was sold to 'a grave physician.' 'This Turk he' was eighty-seven years of age, and 'preferred Crowland in Lincolnshire before all other places in England.' No inquiries are known to have been made about a Turkish medical man who once practised at Crowland in Lincolnshire, though, if he ever did, he was likely to be remembered in the district. This Turk he employed Harrison in the still room, and as a hand in the cotton fields, where he once knocked his slave down with his fist—pretty well for a Turk of eighty-seven! He also gave Harrison (whom he usually employed in the chemical department of his business) 'a silver bowl, double gilt, to drink in, and named him Boll'—his way of pronouncing bowl—no doubt he had acquired a Lincolnshire accent.

This Turk fell ill on a Thursday, and died on Saturday, when Harrison tramped to the nearest port, bowl and all. Two men in a Hamburg ship refused to give him a passage, but a third, for the price of his silver-gilt bowl, let him come aboard. Harrison was landed, without even his bowl, at Lisbon, where he instantly met a man from Wisbech, in Lincolnshire. This good Samaritan gave Harrison wine, strong waters, eight stivers, and his passage to Dover, whence he came back to Campden, much to the amazement of mankind. We do not hear the names of the ship and skipper that brought Harrison from Lisbon to Dover. Wrenshaw (the man to whom seven pounds 'were mentioned') is the only person named in this delirious tissue of nonsense.

The editor of our pamphlet says, 'Many question the truth of this account Mr. Harrison gives of himself, and his transportation, believing he was never out of England.' I do not wonder at their scepticism. Harrison had 'all his days been a man of sober life and conversation,' we are told, and the odd thing is that he 'left behind him a considerable sum of his Lady's money in his house.' He did not see any of the Perrys on the night of his disappearance. The editor admits that Harrison, as an article of merchandise, was not worth his freight to Deal, still less to Smyrna. His son, in his absence,

became Lady Campden's steward, and behaved but ill in that situation. Some suspected that this son arranged the kidnapping of Harrison, but, if so, why did he secure the hanging of John Perry, in chains, on Broadway hill, 'where he might daily see him'?

That might be a blind. But young Harrison could not expect John Perry to assist him by accusing himself and his brother and mother, which was the most unlooked-for event in the world. Nor could he know that his father would come home from Charringworth on August 16, 1660, in the dark, and so arrange for three horsemen, in possession of a heavy weight of specie, to stab and carry off the aged sire. Young Harrison had not a great fardel of money to give them, and if they were already so rich, what had they to gain by taking Harrison to Deal, and putting him, with 'others in the same condition,' on board a casual ship? They could have left him in the 'stone-pit:' he knew not who they were, and the longer they rode by daylight, with a hatless, handcuffed, and sorely wounded prisoner, his pockets overburdened with gold, the more risk of detection they ran. A company of three men ride, in broad daylight, through England from Gloucestershire to Deal. Behind one of them sits a wounded, *and hatless*, and handcuffed captive, his pockets bulging with money. Nobody suspects anything, no one calls the attention of a magistrate to this extraordinary *démarche*! It is too absurd!

The story told by Harrison is conspicuously and childishly false. At every baiting place, at every inn, these weird riders must have been challenged. If Harrison told truth, he must have named the ship and skipper that brought him to Dover.

Dismissing Harrison's myth, we ask, what could account for his disappearance? He certainly walked, on the evening of August 16, to within about half a mile of his house. He would not have done that had he been bent on a senile amour involving his absence from home, and had that scheme of pleasure been in his mind, he would have provided himself with money. Again, a fit of 'ambulatory somnambulism,' and the emergence of a split or secondary personality with forget-

fulness of his real name and address, is not likely to have seized on him at that very moment and place. If it did, as there were no railways, he could not rush off in a crowd and pass unnoticed through the country.

Once more, the theory of ambulatory somnambulism does not account for his hacked hat and bloody band found near the whins on the road beyond Ebrington. Nor does his own story account for them. He was stabbed in the side and thigh, he says. This would not cut his hat or ensanguine his band. On the other hand, he would leave pools and tracks of blood on the road—‘the high way.’ ‘But nothing more could there be found,’ no pools or traces of blood on the road. It follows that the hacked hat and bloody band were a designed false trail, *not* left there by John Perry, as he falsely swore, but by some other persons.

The inference is that for some reason Harrison’s presence at Campden was inconvenient to somebody. He had lived through most troubled times, and had come into a changed state of affairs with new masters. He knew some secret of the troubled times: he was a witness better out of the way. He may conceivably have held a secret that bore on the case of one of the Regicides; or that affected private interests, for he was the trusted servant of a great family. He was therefore spirited away: a trail certainly false—the cut hat and bloody band—was laid. By an amazing coincidence his servant, John Perry, went more or less mad—he was not sane on the evening of Thursday, August 16, and accused himself, his brother, and mother. Harrison was probably never very far from Campden during the two or three years of his disappearance. It was obviously made worth his while to tell his absurd story on his return, and to accept the situation. No other hypothesis ‘colligates the facts.’ What Harrison knew, why his absence was essential, we cannot hope to discover. But he never was a captive in ‘famed Turkee.’ Mr. Paget writes: ‘It is impossible to assign a sufficient motive for kidnapping the old man . . . much profit was not likely to arise from the sale of the old man as a slave.’ Obviously there was no profit, especially as the old

man was delivered in a wounded and imperfect condition. But a motive for keeping Harrison out of the way is only hard to seek because we do not know the private history of his neighbours. Roundheads among them may have had excellent reasons, under the Restoration, for sequestering Harrison till the revenges of the Restoration were accomplished. On this view the mystery almost ceases to be mysterious, for such mad self-accusations as that of John Perry are not uncommon.*

* Not only have I failed to trace the records of the Assize at which the Perrys were tried, but the newspapers of 1660 seem to contain no account of the trial (as they do in the case of the Drummer of Tedworth, 1663), and Miss E. M. Thompson, who kindly undertook the search, has not even found a ballad or broadside on 'The Campden Wonder' in the British Museum. The pamphlet of 1676 has frequently been republished, in whole or in part, as in *State Trials*, vol. xiv., in appendix to the case of Captain Green.

(There was a ballad after all. Anthony à Wood had a copy, and Professor Hyder Rollins reprinted it, in a collection which I shall notice a little later. It was such a ballad as would have delighted the soul of Andrew Lang, could he have seen it. In it the writer reconciled the return of Harrison and the execution of the Perrys by an explanation that to him was, though ingenious, perfectly simple and obvious.

TRUTH BROUGHT TO LIGHT

he captions his ballad—

Or, Wonderful strange and true news from *Gloucester* shire, concerning one Mr. *William Harrison*, formerly Stewart to the Lady *Nowel of Cambden*, who was supposed to be Murthered by the Widow *Pery* and two of her Sons, one of which was Servant to the said Gentleman. Therefore they were all three apprehended and sent to *Gloucester* Goal, and about two years since arraigned, found guilty, condemned, and Executed upon *Broadway* hill in sight of *Cambden*, the mother and one Son being then buried under the Gibbet, but he that was Mr. *Harrisons* Servant, hanged in Chains in the same place,

where that which is remaining of him may be seen to this day, but at the time of their Execution, they said Mr. *Harrison* was not dead, but ere seven years were over should be heard of again, yet would not confess where he was, but now it appears the Widow *Pery* was a witch, and after her Sons had rob'd him, and cast him onto a Stone Pit, she by her witchcraft conveyed him upon a Rock in the Sea near *Turkey*, where he remaind four days and nights, till a *Turkish* Ship coming by, took him and sold him into *Turky*, where he remained for a season, but is now through the good providence of God returnd again safe to *England*, to the great wonder and admiration of all that know the same. This is undenyably true, as is sufficiently testified by the Inhabitants of *Cambden*, and many others thereabouts.

He who runs may read this monumental head-line, and need not stay to hear the ballad, sung to the tune of *Aim Not too High*.

L. de la T.)

THE HEY-DAY OF THE HIGHWAYMAN dawned with the happy Restoration in 1660 of his uninhibited Majesty King Charles II. We shall shortly meet King Charles in the character of patron and admirer of a famous knight of the road. The rollicking ballad that follows shows the naive delight which that monarch's subjects took in the free-booters of the highway, and the equally naive moral afterthought which was their perfunctory tribute to right thinking.

This delightful ballad was also preserved for posterity by Anthony à Wood, him who was so severe upon Presbyterians. It was printed, along with *Truth Brought to Light* and many another engaging bit of balladry, by my friend and mentor, Professor Hyder E. Rollins, in his charming volume, *The Pack of Autolycus*, a budget of wonders, monsters, strange news, and warning-pieces, that should be known to every lover of the entertaining trifles of the past.

Robbery Rewarded

ROBBERY REWARDED,

Dr, An Account of Five Notorious High-way-men's Exploits: Viz, JAMES SLAUTER, JOHN WHITE, JOHN WILLIAMS, alias, MATCHET, FRANCIS JACKSON, WALTER PARKHURST. The manner of their taking on the 17th. of March last past, one of their Company, Viz. James Slauter being since dead in Newgate, the tryal of the other four at the old Baly the 10th. and 11th. of April, they were found Guilty of fifteen several Indictments for Robbery and Murder, the persons Kill'd by them, were one Edward Kemp of Henden, and Henry Miller of Hamstead, for which facts three of them were sentenced to be hang'd at the comon place of Execution, & Jackson to be Gibbited at Hampsted.

Tune is, *packington's pound.*

ADIEU vain delights, and bewitch us no more,
Our former ill courses we now do deplore;
Our Crimes upon Earth hath bereav'd us of hope,
The thread of our lives is spun out in a Rope:

Reprinted from Hyder Edward Rollins, Editor, *The Pack of Autolycus* (Harvard University Press, 1927).

We Rob'd Night and Day,
 Upon the High-way,
 And spent it on Wine, and on wenches & play.
*But to this sweet meat sowre sauce must be had,
 For the Gallows is still the reward of the Padd.*

Neer Colebrook & Windsor our scene we did lay,
 Each purse that came there Contribution must pay
 we scorn'd to compound with the great or the smal,
 For the game y^t we play'd at, was nam'd have-at-al.
 With Pistol in hand,
 We made them to stand,
 And deliver you Dogs was the word of Command,
*But with this sweet meat sowre sauce must be had,
 For the Halter attends all the Kts. of the padd.*

We made our selves valiant with full flowing flagons,
 To Examine Portmantues, and ransack the waggons,
 VVho travel'd in Coaches, if we came in sight,
 They presently bid all their moneys good-night.
 But alas all in vain,
 For now we are ta'ne,
 And must finish our lives in sorrow and pain,
*Destruction still treads on the heels of the bad,
 And a Halter attends all the Knights of the padd.*

Each sort, and Sex must submit to our Doom,
 The Gallants were Hector'd the Ladys o'recome,
 VVhose fine tempting Iewels we soon made a prize,
 Though never so guarded with languishing eyes,
 Rich Cloaths and good Lace,
 We made them uncase,
 And left them behind to complain on the place.
*but with such sweet meat sowre sauce must be had,
 For the Gallows is still the reward of the padd.*

The renowned *Du Vall* with his Kt. arrant fame,
 Hence forward shall yield to our gallanter name;
 He jilted the people with tricks and with words,
 VVe made them submit to the charms of our swords.
 Yet alas to our shame,
 Our ends prove the same,
 The Hangman and *Tyburn* our merits proclaim.
Destruction still treads on the heels of the bad, &c.

Our work we so ply'd, that in very few days,
 VVe resolv'd a good round sum of money to raise,
 VVhich being obtained a plot we design'd,
 To trip o're the Ocean, where none should us find,
 But alas our hard fate,
 Has quite alter'd our state,
 VVe find by sad proof now although 'tis too late,
That to our sweet meat sowre sauce must be had,
For the Halter attends all the Knights of the padd.

The Country Alarum'd with what we had done,
 They came in each man that could handle a Gun,
 VVith swords, & with Flayls, & with Halberts al rusty
 VVith dead-doing Rapiers and Cudgels were trusty,
 In Van, Flanck, and Reer,
 They round us appear,
 VVhich yet could not cause our bold Spirits to fear.
Destruction thus, &c.

A couragious retreat we resolved for to make,
 For well we perceiv'd that our lives lay at stake,
 And thence we conclude it a nobler thing,
 To fall by the Sword than to peep through a string.
 VVe fought all the way,
 To *Hampstead* that day.
 And often shifted Horses to make the less stay,
but still 'tis in vain, &c.

Two poor men we slew whose deplorable sake,
 VVith grief fills our souls, & it makes our hearts ake,
 VVith sighs & with tears we beg mercy of Heaven,
 That Crime and all others may quite be forgiven.

VVhich if we procure,

VVe will gladly endure,

Our punishment here, and esteem them a Cure:
Though vile we have been, & most shameful our story
True repentance may waft from the Gibbet to glory.

Though long we resisted yet wounded full sore,
 At last we grew faint and could hold out no more,
 But streightly confined to *Newgate* we came,
 VVhere one by his death was released from shame.

The rest on fair Tryal,

Beyond all denial,

VVere clearly convicted & now they must die all.
Thus to our sweet meat, &c.

Thus may our Example to all be a warning,
 And serve for each young-mans instruction & learning;
 Be honest & Iust, & not wast time and leisure,
 In Ryot, Debauchness, and wantoning pleasure:

For see what sad gains,

One of us obtains,

His body it must be consumed in Chains.

Destruction still treads on the heels, &c.

Printed for P. Brooksby in VVest-smith-field.

SWIFT NICKS was merry King Charles's favorite highwayman, and no wonder. This ingenious scoundrel, John Nevison by name, invented and perpetrated the first faked alibi on record. King Charles was so struck by his combination of wit and horsemanship that he summoned the hero to the presence and in honor of his feat dubbed him "Swift Nicks." The Merry Monarch probably fancied him the more, in that the highwayman was "very favorable to the female sex, who generally gave him the character of a civil, obliging robber." The royal favor did not, of course, in the long run, save the hero from the gallows; to the fatal tree he went on May 4, 1685.

History has wronged Swift Nicks. Harrison Ainsworth, that fancier of solitary horsemen, despoiled this one of his famous ride to York, in order to attribute it, in *Rookwood*, to another hero; and since that day it is Dick Turpin, penny plain and twopence colored, who forever rides to York.

The following account of the ride of Swift Nicks was written fifteen years before Dick Turpin was elevated to eminence by means of a rope. It was written by one of the greatest chroniclers of crime, real and fictitious, no other than Daniel DeFoe; and it was seriously published as part of his *Tour through the Whole Island of Great Britain* (1724).

The Ride of Swift Nicks

BY DANIEL DEFOE

WE see nothing remarkable on the Road hereabouts but *Gad's-Hill*, a noted Place for robbing of Seamen, after they have received their Pay at *Chatham*. Here it was that a famous Robbery was committed in or about the Year 1676, which deserves to be mentioned: It was about Four o'Clock in the Morning, when a Gentleman was robb'd by one *Nicks* on a Bay Mare, just on the Declivity of the Hill, on the West Side. *Nicks* came away to *Gravesend*, and, as he said, was stopp'd by the Difficulty of getting the Boat, near an Hour, which was a great Discouragement to him; but he made the best Use of it, as a kind of Bait to his Horse: from thence he rode cross the County of *Essex*, to *Chelmsford*: here he stopp'd about half an Hour to refresh his Horse, and gave him some Balls; from thence to *Braintree*, *Bocking*, *Wethersfield*; then over the Downs to *Cambridge*, and from thence, keeping still the cross Roads, he went by *Fenny Stratford* to *Godmanchester* and *Huntingdon*, where he baited himself and his Mare about an Hour; and, as he said himself, slept about half an Hour; then holding on the North Road, and keeping a full Gallop most of the Way, he came to *York* the same Afternoon; put off his Boots and riding Cloaths, and went dress'd as if he had been an Inhabitant of the Place, to the Bowling-green, where, among other Gentlemen, was the Lord-Mayor of the City. He, singling out his Lordship, studied to do something particular, that the Mayor might remember him by; and then takes Occasion to ask his Lordship what o'Clock it was, who pulling out his Watch, told him the Hour, which was a Quarter before, or a Quarter after Eight at Night.

Upon a Prosecution for this Robbery, the whole Merit of the Case turn'd upon this single Point; the Person robb'd swore to the Man, to the Place, and to the Time, in which the Fact was committed; but *Nicks*, proving by the Lord-Mayor, that he was as far off as *Yorkshire* at that Time, the Jury acquitted him on a bare Supposition, that it was impossible the Man could be at two Places so remote, on one and the same Day.

(In case you were wondering, what Swift Nicks gave his horse at Chelmsford must have been some boluses; but history does not record what these wonder-working pills contained.

L. de la T.)

iv

"THE PRINCE OF PRISON-BREAKERS" was Horace Bleackley's considered epithet for little Jack Sheppard. He had in the highest degree, Bleackley points out in his edition of the trial of Sheppard, all the requisites for escape-artistry: pliable slimness, extraordinary physical strength, an expert's knowledge of locks, and utterly undaunted courage.

The story of little Jack Sheppard, whom no gaol could hold, has been told and re-told a hundred times, in his own words, in the words of Daniel DeFoe, in song, in story, on the stage, in Ainsworth's three-decker novel. I have chosen among them the anonymous chap-book lent me by my friend Professor Lewis Knapp, with its wholesale plundering from DeFoe, its quaint approach and sense of climax.

In every life, perhaps, death is the anti-climax. Jack could get out; he couldn't stay out. He went to the gallows in the end, a death extra-hard for so light a weight as he.

The Extraordinary and Daring Exploits of Jack Sheppard

A N O N Y M O U S

JOHN SHEPPARD, was born in the parish of Stepney, near London, in the year 1702. His father was a carpenter, and he died when Jack was so young that he could not recollect ever seeing him. Thus the burthen of his maintenance, together with his brother and sister, lay upon his mother, who soon procured him admission into the workhouse in Bishopsgate-street, where he continued for a year and a half, and, in that time received an education sufficient to qualify him for the trade his mother designed him, viz. a carpenter; accordingly he was recommended to Mr. Wood, in Wych-street, Drury-lane, and bound to him for seven years; the lad proved an early proficient. Being an ingenious hand, he soon became master of his business, and gave such satisfaction to his master's customers, that he had the character of a very sober, orderly boy; but, alas! unhappy youth! before he had completed six years of his apprenticeship, he commenced a fatal acquaintance with one Elizabeth Lyon, otherwise called Edgworth Bess, from a town of that name in Middlesex where she was born, the reputed wife of a soldier, and who lived a debauched life. Our young hero became soon enamoured of her, and they cohabited together as man and wife.

This was the foundation of his ruin. Sheppard grew weary of the yoke of servitude, and began to dispute with his master, telling him that his way of jobbing from house to house, was not sufficient to furnish him with a due experience in his trade, and, that if he would not seek to undertake some buildings, he

would step into the world for better information. Mr. Wood, a mild, honest man, indulged him, and Mrs. Wood exhorted him against the company of this prostitute; but he, prompted and hardened by this harlot, d—d her blood, threw a stick at her, and beat her to the ground.

Being at work at Mr. Britt's, the Sun alehouse, near Islington, he, on a trivial occasion, fell upon his master, and beat and bruised him in a barbarous and shameful manner. Such a sudden and deplorable change was there in the behaviour of this promising young man! Next ensued a neglect of duty both to God and his master; lying out of nights, perpetual jarring and animosities; these acts, were the consequences of his intimacy with this harlot, who, by the sequel, will appear to have been a main loadstone in bringing him to the fatal tree.

Mr. Wood having reason to suspect that Sheppard had robbed a neighbour, began to be in great fear and terror for himself; and when his man came not home in due season at night, barred him out; but he made a mere jest of the locks and bolts, and entered in and out at pleasure; and when Mr. Wood and his wife have had all the reason in the world to believe he was locked out, they found him in bed the next morning; such was the power of his early magic.

Edgworth Bess having stolen a gold ring from a gentleman whom she had picked up in the street, was sent to St. Giles's round-house. Sheppard went immediately to his consort; and, after a short discourse with Mr. Brown, the beadle, and his wife, who had the care of the place, he fell upon the poor old couple, took the keys from them, and let his lady out, in spite of all the outcries and opposition they were capable of making.

About July, 1723, he was by his master sent to perform a repair at the house of Mr. Braines, a piece-broker in White-horse-yard.—From thence he stole a roll of fustian, containing twenty-four yards, which was afterwards found in his trunk.

This is supposed to be the first robbery he ever committed, and it was not long before he repeated another upon this same Mr. Braines, by breaking into his house in the night time, and taking out of the till 7 l. in money, and goods to the value

of 14 l. more; how he entered this house was a secret, till his being, at last, committed to Newgate, when he confessed, that he took up the iron bars at the cellar window; and, after he had done his business, he nailed them down again; so that Mr. Braines never believed that his house had been broken, and a woman, a lodger in the house, lay all the while under the weight of a suspicion of committing the robbery.

Sheppard and his master had parted ten months before the expiration of his apprenticeship; a woeful parting to the former: he was gone from a good and careful patronage, and lay exposed to, and complied with, the temptations of the most wicked wretches the town could afford, such as Joseph Blake, alias Blueskin; — Dowling; James Sykes, alias Hell and Fury, and which last was the first that betrayed and put him into the hands of justice, as will presently appear.

Having deserted his master's service, he took shelter in the house of Mr. Charles, in May-fair; and his landlord having occasion for some repairs in his house, engaged a Mr. Panton, a carpenter, to undertake it, and Sheppard to assist him as a journeyman; but, on the 23d of October, 1723, before the work was completed, Sheppard took an opportunity to rob the people of the following effects; viz. 7 l. 10s. in specie; five large silver spoons, six plain forks, ditto, four tea spoons, six plain gold rings, and a cypher ring; four suits of wearing apparel, besides linen to a considerable value. This fact he confessed to the Rev. Mr. Wagstaff before his escape from the condemned cell of Newgate.

Sheppard had a brother named Thomas, a carpenter by profession, though a notorious thief and housebreaker by practice.—Thomas being committed to Newgate, for breaking open the house of Mrs. M. Cook, a linen-draper in Clare-market, on the 5th of February, and stealing goods to the amount of 50 l. or 60 l. impeached his brother, John Sheppard, and Edgworth Bess, as being concerned with him in this fact; and these three were charged with being concerned together in breaking into the house of Mr. William Phillips, in Drury-lane, and stealing divers goods, the property of Mrs. Kendrick,

a lodger in the house, on the 14th of the said month of February. All possible endeavours were used by Mrs. Cook, and Mr. Phillips, to get John Sheppard and Edgworth Bess apprehended, but to no purpose, till the following accident:—

Sheppard being on his wicked range in London, committing robberies wherever he could, one day met with his old acquaintance, James Sykes, alias Hell and Fury, sometimes a chairman, and sometimes a running footman. He was invited by him to go to one Sedgate's, a victualling house, near the Seven Dials, to play at skittles. Sheppard complied, and Sykes secretly sent for Mr. Price, a constable in St. Giles's Parish, and charged him with his friend Sheppard, for robbing Mrs. Cook, &c. Sheppard was carried before Justice Parry, who ordered him to St. Giles's roundhouse till the next morning, for further examination. He was confined in the upper part of the place, being two stories from the ground; but, before two hours, by only the help of a razor, and the stretcher of a chair, he broke open the top of the round-house; and tying together a sheet and blanket, by them descended into the church-yard, and escaped, leaving the parish to repair the damage, and repent the affront put upon his skill and capacity.

On the 19th of May, in the evening, Sheppard, with another robber, named Benson, were passing through Leicesterfields, where a gentleman stood accusing a woman with an attempt to steal his watch. A mob was gathered about the disputants. Sheppard's companion got in among them, and picked the gentleman's pocket in earnest of his watch. The scene was now changed from an imaginary robbery to a real one; and in a moment ensued an outcry of 'Stop thief!' Sheppard and Benson took to their heels: but Sheppard was seized by a serjeant of the guard at Leicester-house, crying out, 'Stop thief!' with much earnestness. He was conveyed to St. Ann's round-house, in Soho, and kept secure till the next morning, when Edgworth Bess came to visit him, who was seized also. They were carried before Justice Waller, when the people in Drury-lane and Clare-market appeared, and charged them with the robberies before-mentioned; but Sheppard pretending to impeach

certain accomplices, the justice committed them to the New Prison, with an intent to have them removed to Newgate, unless there came from them some useful discoveries. Sheppard was now a second time in the hands of the Justice; but how long he intended to keep in them, the reader will soon be able to judge.

He and his mate were now in a strong and well guarded prison, himself loaded with a pair of double links, and bazils, of about 14-lb. weight, and confined together in the safest apartment, called Newgate-ward. Sheppard, conscious of his crimes, and knowing the information he had made to be but a blind scheme, that would avail nothing, began to meditate an escape.

They had been thus detained four days, and their friends having the liberty of seeing them, furnished him with implements proper for his design; accordingly, Sheppard went to work, and, on the 25th May, being Whit-Sunday, at about two o'clock in the morning, completed a practicable breach, and sawed off his fetters; having with unheard-of diligence and dexterity, cut off an iron bar from the window, and took out a mutin, or bar of the most solid oak, about nine inches in thickness; by boring it through in many places with great skill and labour.—They had still 25 feet to descend. Sheppard fastened a sheet and blanket to the bars, caused madam to take off her gown and petticoat, and sent her out first. She being more corpulent than himself, it was with great difficulty he got her through the opening; but on observing his directions, she was instantly down, more frightened than hurt. Our hero followed, and lighted with ease and pleasure. But where are they escaped to?—Why out of one prison into another. The reader is to understand that the New-Prison and Clerkenwell Bridewell lie contiguous to each other, and they are got into the yard of the latter, and now have a wall of 22 feet high to scale before their liberty is perfected. Sheppard, far from being unprepared to surmount this difficulty, had his gimlets and piercers ready, and made a scaling-ladder. While the keepers and prisoners of both places were asleep in their beds, he

mounts with his lady, and in less than ten minutes carries both her and himself over the wall, and completes an entire escape. Although his escape from the condemned hold in Newgate made a far greater noise in the world than from the new Prison, it has been allowed by all gaol-keepers in London, that one so extraordinary was never performed in England before. The broken chairs and bars are kept at the New Prison to testify and preserve the memory of this villain.

Sheppard, not warned by this admonition, returns like a dog to his vomit, and again comes to his master's neighbourhood in Wych-street, and concerts measures with one Anthony Lamb, an apprentice to Mr. Carter, a mathematical instrument maker, for robbing Mr. Burton, a master tailor, who lodged in Mr. Carter's house.—Charles Grace a cooper, being let into the secret, consented, and resolved to act his part, and the 16th of June was appointed. Lamb let Grace and Sheppard into the house at midnight, and they all went up to Mr. Burton's apartment, armed with pistols, and entered undisturbed. Grace was posted at Burton's bed-side with a loaded pistol, with positive orders to shoot him through the head in case he awoke, Sheppard being engaged in opening the trunks and boxes in the meantime.

It luckily happened for Mr. Burton, that he slept more sound than usual that night, having come from a merry making with some friends. They carried off in notes, bonds, guineas, and clothes, made and unmade, to the value of between 2 and 300 l. besides a paduasoy suit of clothes, worth about 20 l. more, which having been made for a corpulent gentleman, Sheppard had them reduced, and fitted to his own size and wear, designing to appear and make a figure in the *beau monde*. Grace and Sheppard having disposed of the goods at an alehouse in Newtoner's-lane, (a rendezvous for robbers and ruffians) took their flight, and Grace was not heard of after. Lamb was apprehended, and carried before Justice Newton, and made an ample confession; and, there being nothing but that against him at his trial, he came off with sentence of transportation. He, as well as Sheppard, confirmed all the

above particulars, and with this addition; viz. That it was debated among them to have murdered all the people in the house, save one person.

About the latter end of the same month, June, Mr. Kneebone, a woollen-draper, near the New Church, in the Strand, received a caution from the father of Anthony Lamb, who intimated to Mr. Kneebone, that his house was intended to be broke open and robbed that very night. Mr. Kneebone prepared for the event, ordered his servants to sit up, and gave directions to the watchman in the street to observe his house. At about two o'clock in the morning, Sheppard and his gang being about the door, a maid servant went to listen, and heard one of the wretches say, damn him, if they could not enter that night they would another, and would have 300 l. of his money. They then went off, and nothing was heard of them till Sunday, the 12th of July following: when Joseph Blake, alias Blueskin, John Sheppard, and William Field, (as himself swore,) came about 12 o'clock at night, and cut two large oaken bars over the cellar window, at the back part of the house in Little Drury-lane, and so entered. Mr. Kneebone and his family being at rest, they proceeded to open the door, at the foot of the cellar stairs, with three bolts, and with a large padlock upon it; and then came up into the shop, and wrenched off a hasp and padlock that went over the press, and arrived at their desired booty; they continued in the house three hours, and carried off with them 108 yards of broad woollen cloth, five yards of blue baize, a light tie-wig, a beaver hat, two silver spoons, a handkerchief, and penknife; in all to the amount of 50 l.

The Sunday following, being the 19th of July, Sheppard and Blueskin were out upon the Hampstead-road, and there stopt a coach with a Lady's woman in it, from whom they took only half a crown, being all the money about her. The footman behind the coach came down and exerted himself, but Sheppard sent him in haste up to his post again by threat of his pistol.

The next night, being the 20th of July, about nine o'clock, they robbed Mr. Pargiter, a chandler of Hampstead, near the

half-way-house. Sheppard, after his being taken at Finchley, was particularly examined about this robbery. The Rev. Mr. Wagstaff received a letter from an unknown hand, with some questions to be proposed to Sheppard; viz.—Whether he did not rob one Mr. Pargiter, on Monday, the 20th of July, about nine at night, between the turnpike and Hampstead? How much money he took from him? Whether Pargiter was drunk or not; and if he had any rings or watch about him when robbed? He said Pargiter was very much in liquor, having a great coat, neither rings on his fingers, nor watch, and only 3s. in his pocket, which they took from him; and that Blueskin knocked him down twice with the end of his pistol, to make sure work; (though excess of drinking had done that before); but Sheppard did in kindness raise him up as often.

The next night, July 21st, they stopped a stage coach, and took from one of the passengers in it 20s. and were so expeditious in the matter, that scarcely a word was spoke. Now Mr. Sheppard's long and wicked course was seemingly drawing to a period. Mr. Kneebone having applied to Jonathan Wild, and set advertisements in the papers, complaining of his robbery; on Tuesday, the 22nd of July, at night, Edgworth Bess was taken in a brandy shop, near Temple Bar, by Jonathan Wild; she being much terrified, discovered where Sheppard was. A warrant was accordingly issued by Justice Blackerby, and the next day he was apprehended at the house of Blueskin's mother, in Rosemary-lane, by one Quilt, a domestic of Mr. Wild's, though not without great opposition, for he presented a loaded pistol to Quilt's breast, and attempted to shoot him, but the pistol missed fire. He was brought back to New Prison, confin'd in the dungeon, and the next day brought before Justice Blackerby.—Upon this examination, he confessed the three robberies on the highway before-mentioned, as also his robbing Mr. Braines, Mr. Burton, and Mr. Kneebone. He was committed to Newgate, and at the ensuing sessions at the Old Bailey, he was tried upon the three following indictments:—

John Sheppard, of the parish of St. Martin in the Fields,

was indicted for breaking the house of William Phillips, and stealing divers goods, on the 14th of February; but there not being a sufficient evidence against the prisoner, he was acquitted. He was indicted a second time, as of St. Clement Danes, for breaking open the house of Mary Cook, the 5th of February, and stealing divers goods; but the evidence against the prisoner being deficient as to this indictment, he was again acquitted. He was indicted a third time as of St. Mary Savoy, for breaking the house of William Kneebone, in the night time, and stealing 108 yards of woollen cloth, the 12th of July.

The prosecutor deposed, that the prisoner had some time since been his servant; and when he went to bed, the time mentioned in the indictment, about 11 o'clock at night, he saw all the doors and windows fast, but was called up about four in the morning, and found his house broke open, the bars of the cellar window having been cut, and the bolts of the door at the stairs-foot drawn, and the padlock wrenched off, and the shutter in the shop broken, and his goods gone; whereupon, suspecting the prisoner, he having committed ill actions thereabouts before, he acquainted Jonathan Wild with it, and he procured him to be apprehended. That he went to the prisoner in the New Prison, and asked how he could be so ungrateful as to rob him, after he had shown him so much kindness? This prisoner owned he had been ungrateful in so doing, informed him of several circumstances as to the manner of committing the fact; but said he had been drawn into it by ill company.

Jonathan Wild deposed, the prosecutor came to him, and desired that he would enquire after his goods; that the prisoner had been concerned in the robbery, he having before committed some robberies in the neighbourhood. That he enquired after him, having heard of him before: he was informed that he was an acquaintance of Joseph Blake, alias Blueskin, and William Field; whereupon he sent for William Field, who came to him; and he told him, if he would make an ingenuous confession, he believed he could prevail upon the court to make him an evidence. Then he did make a discovery of the prisoner, upon which he was apprehended, and also of others, and gave

an account of some pieces of the cloth, which were found accordingly.

W. Field deposed, that the prisoner told him and Joseph Blake, that he knew a *ken* where they might get something of worth; that they went to take a view of the prosecutor's house, but disapproved of the attempt, as not thinking it easy to be performed; but the prisoner said it might easily be done, he knowing the house, and having lived with the prosecutor; that thereupon he cut the cellar bar, went into the cellar, got into the shop, and brought out three parcels of cloth, which they carried away. The prisoner had also confessed the fact when he was apprehended, and likewise before the Justice. The fact being clearly proved, the jury found him guilty of this indictment.

Sentence of death was pronounced upon him accordingly. Several other prosecutions might have been brought against him; but this was thought sufficient to rid the world of so notorious an offender. He begged earnestly for transportation to the remotest part of his majesty's dominions, and pleaded youth and ignorance, as the motives which had precipitated him into guilt; but the court, deaf to his importunities, knowing his repeated crimes to be equally flagrant, gave him no satisfactory answer. He returned to his dismal abode, the condemned hole, where were nine more unhappy wretches in as dreadful circumstances as himself. The King being at Windsor, the malefactors had a longer respite than is usual. During that recess, James, Harman, Lumcy, Davies, and Sheppard agreed upon an escape, concerted measures, and provided instruments, to make it effectual; but these men put off the execution of their design, on account of having their hopes of life renewed by the favourable answers they received daily from considerable persons, but those vanishing the day before their execution, and finding their sentence irreversible, they dropped all their hopes, together with the design they had formed for an escape, and so earnestly prepared to meet death on the morrow, which they accordingly did. It was on this day, Davis gave Sheppard the watch springs, files, saws,

&c. to effect his own release; and knowing that a warrant was hourly expected for his execution with two others, on the Friday following, he thought it high time to look about him, for he had waited his trial, saw his conviction, and heard his sentence with some patience; but, finding himself irrespectably decreed for death, he could sit passive no longer, and the very day of the execution of the former, while they were having their fetters taken off, in order for going to the tree, that day he began to saw; Saturday made a progress but Sunday omitted by reason of the concourse in the lodge. Edgworth Bess having been set at liberty, had frequent access to him, with others of his acquaintance. On Monday, the death warrant came from Windsor, appointing that he, together with Joseph Ward and Anthony Upton, should be executed on the Friday following, being the 4th of September. The keepers acquainted him therewith, and desired him to make good use of the short time allotted him; he thanked them, and said, *'he would follow their advice, and prepare!'* Edgworth Bess and another woman, had been with him at the door of the condemned hold the greatest part of the afternoon; between five and six o'clock he desired the other prisoners, except Stephen Fowles, to remain above, while he offered something in private to his friends at the door. They complied, and in this interval he got the spike asunder, which made way for him to pass with his heels foremost, by the assistance of Fowles. . . .

Having now got clear of his prison, he took coach, disguised in a night gown, at the corner of the Old Bailey, along with a man who waited for him in the street, and was supposed to be one Page, a butcher; and ordered the coachman to drive to Blackfriars-stairs, where his prostitute gave him the meeting; and the three took boat, and went ashore at the Horse-ferry, at Westminster; and at the White Hart, they went in and drank, and staid some time; from thence they adjourned to a place in Holborn, where, by the help of a saw, he quitted the chains he had brought with him from Newgate, and then, like a free man, took a ramble through the city, and came to Spitalfields, and there lay with Edgworth Bess.

It may be easy to imagine what an alarm his escape gave the keepers of Newgate, three of their people being at the farther end of the lodge, engaged in discourse concerning his wonderful escape from the New Prison, and what caution ought to be used, lest he should give them the slip, at the very instant he effected it.

On Tuesday, he sent for William Page, an apprentice to a butcher in Clare-market, who came to him; and being pennyless, he desired Page to give him what assistance he could to make his way; he being a neighbour and acquaintance, complied with it; but before he would do any thing, he consulted a near relation, who, he said, encouraged him in it, nay, put him upon it; so meeting with success in his application to his friend, and probably with assistance for the pocket, he came to Sheppard, having bought him a new blue butcher's frock, and another for himself, and so both took their route to Wardon, in Northamptonshire, where they came to a relation of Page's, who received and entertained them kindly, the people lying from their own bed to accommodate them. Sheppard pretended to be a butcher's son in Clare-market, who was going farther into the country to his friends; and that Page was so kind as to accompany him; but they, as well as their friend, became tired of one another, the butcher having but one shilling left, and the people poor, and consequently unable to subsist two such fellows. After a stay of three or four days, they returned, and came to London, reached the City on Tuesday, the 8th of September, calling by the way at *Black Mary's Hole*, and drinking with several of their acquaintance, then came into Bishopsgate-street, to one Cooley's, a brandy-shop where a cobbler being at work in his stall, stepped out and swore there was Sheppard; he, hearing him, departed immediately. In the evening they came into Fleet-street, about eight o'clock, and observing Mr. Martin's, a watchmaker's shop, to be open, and a little boy only to look after it, Page goes in, and asks the lad, whether Mr. Taylor, a watchmaker, lodged in the house? Being answered in the negative, he came away, and reports the disposition of the place. Sheppard now makes trial of his

old masterpiece, fixes a gimlet into the door post, breaks the glass, and takes out three silver watches of 15 l. value. The boy saw him take them, but could not get out to pursue him, by reason of his contrivance; one of the watches he pledged for a guinea and a half. The same night they came into Wych-street, Sheppard going to his mistress, she heard him, knew his voice, and was dreadfully frightened; he then went to the Cock and Pye alehouse in Drury-lane, sent for a barber of his acquaintance, and drank brandy, and ate oysters in view of several people; Page waiting all the while at the door, the whole neighbourhood being alarmed, yet none daring to attack him for fear of his pistols, &c. He had vowed revenge upon a poor man that kept a dairy-cellar, at the end of White-horse yard, who having seen him at Islington after his escape, and engaged not to speak of it, broke his promise; whereupon Sheppard went to his residence, took the door off the hinges, and threw it down among the man's pans and pipkins, and caused a deluge of cream and milk to flow about the cellar.

The same night he had a narrow escape: one Mr. Ireton, a sheriff's-officer, seeing him and Page pass through Drury-lane, about 10 o'clock, pursued them, and laid hold of Page, instead of Sheppard, who got off; thus Ireton missing the main man, and thinking Page of no consequence, let him go after him.

Edgworth Bess had been apprehended by Jonathan Wild; and committed to the Poultry-compter, by Sir Francis Forbes, one of the aldermen of London, for aiding, and assisting Sheppard in his escape; the keepers and others terrified her as much as possible, to discover where he was; but had it been her inclination, it was not in her power to tell, as it appeared soon after.

The people about the Strand, Wych-street, and Drury-lane, whom he had robbed, and who had prosecuted him, were under great apprehensions and terror; and in particular Mr. Kneebone, on whom he vowed revenge, because he lately refused to sign a petition in his behalf to the Recorder of London. This gentleman was forced to keep armed people up in his house every night, till he was retaken, and had the same

fortified in the strongest manner. Several other shopkeepers in that neighbourhood were also put to great expense and trouble, to guard against this villain.

The keepers of Newgate, (whom the rash world loaded with infamy, stigmatized and branded with the title of persons guilty of bribery, for conniving at his escape,) contributed their utmost to undeceive a wrong-notioned people. Their diligence was indefatigable, sparing neither money nor time, night nor day, to bring him back to his deserved justice. After much intelligence, which they bought or received, they had one which proved very successful; having learnt for certainty that his haunts were about Finchley Common; and being very well assured of the house where he lay; on Thursday the 10th of September, a number of men both of spirit and conduct, furnished with arms proper for their design, went for Finchley, some in a coach and four, and others on horseback; they dispersed themselves about the Common aforesaid, in order to take their view; they had not long been there before they came in sight of Sheppard, in company with William Page, habited like to butchers, in blue frocks, with aprons tucked round their waists.

Upon Sheppard's seeing Mr. Langley, one of the head turnkeys of Newgate, he said to his companion, '*Page, I spy a stag;*' upon which their courage dropt, knowing that now their wicked way of business was almost at an end; however, to make their flight as secure as they could, they thought it advisable to take to a footpath, to cut off the pursuit of the Newgate cavalry; but this did not prove successful; Mr. Langley came up with Page, (who was hindermost,) and dismounting, with pistol in hand, commanded Page to throw up his hands, which he tremblingly did, begging for life, desiring him to *fisk him*; viz. search him, which he accordingly did, and found a broad knife, and a file; having thus disarmed him, he takes the *chub* along with him, in quest of the slippery eel, Sheppard, who had taken shelter in an old stable belonging to a farmhouse; the pursuit was close, the house invested, and a girl seeing his feet, she discovered him. Mr. Austin, a turnkey, first

attacked his person; Mr. Langley seconded him, and Ireton, the officer, helped to inclose. He, being shocked with fear, told them he submitted, and desired they would let him live as long as he could, which they did, and used him mildly; upon searching him they found a broad knife, with two of the watches he had taken out of Mr. Martin's shop, one under each arm-pit; and now having gained their point, and made themselves masters of what they had often endeavoured for, they came with their lost sheep to a house on the common that sold liquors, with this inscription on the sign, '*I have brought my hogs to a fine market!*' which our two unfortunate prisoners, under their then unhappy circumstances, had too sad reason to apply to themselves. Sheppard had by this time recovered his surprise, grew calm and easy, and desired them to give him some brandy, which they did, and were all friends and good company.

They adjourned with their prisoners to another place, where there was a coach and four waiting to convey them to town with speed and safety, where Mr. Sheppard arrived at his old mansion about two in the afternoon. At his alighting, he made a sudden spring, his intention being, he said, to have slipt under the coach, and had a race for it. He was put into the condemned hold, and chained down to the floor with double bazils about his feet, &c. Page was carried before Sir Francis Forbes, and committed to the same prison, for accompanying and aiding Sheppard in his escape. The prudence of Mr. Pitt caused a separation between him and his brother, the first night, as a means to prevent any ensuing danger by having two heads, which, according to the proverbial saying, is better than one.

The joy of the people of Newgate on this occasion was inexpressible, and nothing but smiles and bumpers were seen in the lodge for many days together; but Jonathan Wild happened to be gone on a wrong scent after him to Stourbridge, lost a share of the glory.

The Rev. Mr. Wagstaff, who officiated in the absence of the ordinary, renewed his former acquaintance with Mr. Sheppard, and examined him in a particular manner concern-

ing his escape from the condemned hold; he entirely disowned that all or any belonging to the prison were privy thereto, but related it as it has been described. He declared, that Edgworth Bess, who had hitherto passed for his wife, was not really so; this was by some thought to be base and ungenerous in him, as she had contributed towards his escape, and was in custody on that account, as it might render her more liable to punishment than if she had been thought his wife; but he endeavored to acquit himself, by saying, that she was the sole authoress of all his misfortunes; that she betrayed him to Jonathan Wild, at the time when he was taken in Rosemary-lane, and that when he was contriving his escape she disobeyed his orders; for, when being required to attend at the door of the condemned hold, by 9 or 10 in the morning, to facilitate his endeavours, she came not till the evening which he said was an ungrateful return for the care he had taken in setting her at liberty from the New Prison, and thus justified himself in what he had done, and said he cared not what became of her.

He was continually meditating a second escape, as appeared by his own hardiness, and the instruments found upon him, on Saturday the 12th, and Wednesday the 16th of September; the first time a small file was found in his Bible; and the second time two files, a chissel, and a hammer were hid in the rushes of his chair; and whenever a question was put to him, by what means those implements came into his hands, he would fly out, and say, 'How can you always ask me these and such like questions?' And, in a particular manner, when he was asked, whether his companion Page was an accomplice with him, in the affair of the watches, or any other?—He replied, that if he knew, he would give no direct answer.

It was thought necessary by the keepers to remove him from the condemned hold to a place called the castle, in the body of the jail, and to chain him down to two large iron staples in the floor. The concourse of people of the first fashion to see him was exceeding great, and he was always cheerful and pleasant to a degree, turning almost every thing that was said into a jest and banter.

Being one Sunday at the Chapel, a Gentleman belonging to the Lord Mayor, asked a turnkey which was Sheppard? The man pointed to him. Says Sheppard, "Yes, Sir, I am the Sheppard, and all the gaolers in town are my flock, and I cannot stir into the country, but they are all at my heels bawling after me, &c." He told Mr. Robins, the city smith, "that he procured him a small job, and that whoever it was that put the spikes in the condemned hold was an honest man, for a better piece of metal he never wrought in his life." He was loath to believe his frequent robberies were an injury to the public, for he used to say, "that if they were ill in one respect, they were as good in another; and though he cared not for working much himself, he was desirous that others should not be idle, and more especially those of his own trade, who were always repairing of his breaches." . . .

On Wednesday, October the 14th, the Sessions began at the Old Bailey, and Jack knew that the keepers would then have so much business in attending the court, as would leave them but little leisure to visit him; and, therefore, thought that this would be the only time to make a push for his liberty.

The next day, about two in the afternoon, one of the keepers carried Jack his dinner, and as usual, examined his irons, and found all fast, and so left him. He had hardly been gone an hour before Jack went to work. The first thing he did, he got off his handcuffs, and then with a crooked nail, which he found upon the floor, opened the great padlock that fastened his chain to the staple. Next, he twisted asunder a small link of the chain between his legs, and drawing up his footlocks as high as he could, he made them fast with his garters. He attempted to get up the chimney, but had not advanced far, before his progress was stopped by an iron bar that went across within side; and, therefore, being descended, he went to work on the outside, and, with a piece of his broken chain, picked out the mortar, and removed a small stone or two, about six feet from the floor; he got out the iron bar which was an inch square, and near a yard long, and this proved of great service to him. He presently made so large a breach, that he got into the Red

Room over the Castle; here he found a great nail, which was another very useful implement. The door of this room had not been opened for seven years past; but in less than seven minutes he wrenched off the lock, and got into the entry leading to the chapel. Here he found a door bolted on the other side, upon which he broke a hole through the wall, and pushed the bolt back. Coming now to the chapel door, he broke off one of the iron spikes, which he kept for further use, and so he got into the entry between the chapel and lower leads. The door of this entry was very strong, and fastened with a strong lock; and what was worse, the night had overtaken him, and he was forced to work in the dark. However, in half an hour, by the help of the great nail, the chapel spike, and the iron bar, he forced off the box of the lock, and opened the door, which led him to another yet more difficult; for it was not only locked, but barred and bolted. When he had tried in vain to make this lock and box give way, he wrenched the fillet from the main post of the door, and the box and staples came off with it; and now St. Sepulchre's chimes went eight. There was yet another door between him and the lower leads, but it being only bolted within-side, he opened it easily, and mounting the top of it, he got over the wall, and to the upper leads.

His next consideration was, how to get down; for which purpose, looking round him, and finding the top of the turner's house, adjoining to Newgate, was the most convenient place to alight upon, he resolved to descend thither; but, as it would have been a dangerous leap, he went back to the castle the same way he came, and fetched a blanket which he used to lie upon. This he made fast to the wall of Newgate with the spike he stole out of the chapel, and, sliding down, dropped upon the turner's leads, and then the clock struck nine.

Luckily for him, the turner's garret door on the leads happened to be open. He went in, and crept softly down one pair of stairs, when he heard company talking in a room below. His irons giving a clink, a woman started, and said, "Lord, what noise is that?"—Somebody answered, "the dog or cat." Thereupon Sheppard returned to the garret, and having con-

tinued there above two hours, he ventured down a second time, when he heard a gentleman take leave of the company, and saw the maid light him down stairs. As soon as the maid came back, and had shut the chamber door, he made the best of his way to the street-door, unlocked it, and so made his escape about 12 o'clock at night.

It is uncertain where he took up his lodging for the remaining part of that night, or rather morning; or when, or how, he got the irons off his legs; but, on the first of November, not only his feet-locks, but his handcuffs too, were found in a room belonging to Kate Cook and Kate Keys, in Cranbourn-alley.

He had not been many days at liberty, before he wrote the two following letters; and, dressing himself at night, like a porter, went to Mr. Applebee's house, in Blackfairs, who at that time printed what is termed the dying speeches of the persons executed, and left them with his maid servant.

Mr. Applebee,

This with my kind love to you, and pray give my kind love to Mr. Wagstaff, hoping these few lines will find you in good health, as I am at present; but I must own you are the loser for want of my dying speech; but to make up your loss, if you think this sheet worth your while, pray make the best of it. Though they do say I am taken among smugglers, and put into Dover Castle, yet I hope I am among smugglers still. So no more, but your humble servant,

JOHN SHEPPARD

P.S. I desire you will be the postman with this letter to Mr. Austin, the jail-keeper; so farewell; and I quit the English shore.

NEWGATE, FAREWELL!

Mr. Austin,

You was pleased to pass your jokes upon me, and did say, you should not have been angry with me, had I took my leave of you; but now pray keep your jokes to yourself;

let them laugh that win; for now it is an equal chance, you take me, or I to go away; but I own myself guilty of that ill-manners; but excuse me, for my departure being private and necessary, spoiled the ceremony of bidding adieu. But I wish you all as well as I am at present. But pray be not angry for the loss of your irons, had you not given me them I had not taken them away; but really I had left them behind me had convenience served. So do not be angry.

And what is amiss done, you write, for my scholarship is but small. This from your fortunate prisoner,

JOHN SHEPPARD

In a few nights after leaving these letters, he broke open a shop in Monmouth-street, and stole some wearing apparel. On the 29th of October he broke open the house of Robert Rawlins, a pawnbroker, in Drury-lane, from whence he took a sword, a suit of apparel, a snuff-box, rings, watches, and goods, to a considerable value.

And now Jack resolved to appear like a gentleman among his old friends in Drury-lane, and Clare-market. He strutted about in a fine suit of black, a light tie-wig, and a ruffled shirt, with a silver-hilted sword by his side, a diamond ring on his finger, and a gold watch in his pocket, notwithstanding he knew there was a diligent search made for him.

On the 31st of October he dined with his two women, Cook and Keys, at a public-house in Newgate-street, where they were very merry together. About four in the afternoon they took coach, and drawing up the windows passed through Newgate, which then was similar to Temple Bar, and so to the Shears ale-house, in Maypole-alley, by Clare-market; where in the evening, he sent for his mother, and treated her with some brandy. As she knew the danger he was in, she advised him to take care of himself, and keep out of the way; but Jack had been drinking pretty hard, and was grown too wise to take counsel, and too valiant to fear any thing; and, therefore, leaving his mother, he strolled about in the neighbourhood from ale-house to gin-shop, till near 12 o'clock, when he was appre-

hended by means of an ale-house boy, who had accidentally seen him. Poor Jack was then drunk, unable to make any resistance, and was once more conveyed to Newgate.

The 10th of November he was carried to the King's bench bar, at Westminster, where the record of his conviction being read, and an affidavit made that he was the same John Sheppard mentioned in that record, Mr. Justice Power awarded sentence of death against him, and a rule of court was made for his execution on the Monday following.

The day came, but Jack had still some hopes of eluding Justice. Somebody had furnished him with a penknife; this he put naked into his pocket, with the point upwards; and, as he told one whom he thought he could trust, his design was to lean forward in the cart, and cut asunder the cord that tied his hands together, and then, when he came near Little Turnstile, to throw himself over among the crowd, and run through the narrow passage, where the officers could not follow him on horseback, but must be forced to dismount; and, in the meantime, doubted not, but, by the mob's assistance, he should make his escape. It is not unlikely that he pleased himself with these thoughts, when he said, "I have now as great a satisfaction at heart, as if I was going to enjoy an estate of 200 l. a year;" though the chaplain understood it in a different sense. But this hopeful scheme was discovered in the press-yard in Newgate, just as he was going into the cart; though it was not prevented without the loss of some blood. One Watson, an officer, too incautiously examining Jack's pockets, unluckily cut his own fingers.

Sheppard had still another project in his head. He earnestly desired some of his acquaintance, that after his body was cut down, they would as soon as possible put it into a warm bed, and try to let him blood; for he said, he believed if such care was taken, they might bring him to life again.

At the place of execution he behaved himself very gravely; confessed in particular, that he robbed Mr. Phillips, and Mrs. Cook, though for want of proper evidence the jury had acquitted him of both; and he declared, that when he and Blue-

skin robbed Mr. Kneebone, William Field was not with them.

He was hanged at Tyburn, on Monday, November 16th, 1724, in the 23d year of his age. He died with great difficulty, and much pitied by the mob. When he had hung about a quarter of an hour, he was cut down by a soldier, and delivered to his friends, who carried him to the Barley-mow in Long Acre, and he was buried the same evening, in St. Martin's church-yard.

V

ONE OF THE MOST SENSATIONAL CRIMES OF THE CENTURY was the crime of Catharine Hays. In addition to the macabre means used to identify the deceased, hereinafter to be set forth, the situation gained in fascination from the fact that she always said that her accomplice in dismembering her tedious husband was her long-lost son; and since he was a foundling, and from her part of the country, so he may in truth have been.

Catharine Hays gained her kind of immortality in every Newgate Calendar, Malefactors Register, and Tyburn Chronicle for the next hundred years. Nor was she denied a place in minstrelsy. The ensuing ballad has been preserved for us in a work wordily entitled:

The Annals of Newgate; or, Malefactors Register. Containing a particular and circumstantial Account of the Lives, Transactions, and Trials of the most notorious Malefactors, who have suffered an ignominious Death for their Offences, viz. for PARRICIDE, MURDER, TREASON, ROBBERY, BURGLARY, PIRACY, COINING, FORGERY, and RAPES . . . Including a Period of fifty Years and Upwards, both in Town and Country. CALCULATED To expose the Deformity of Vice, the Infamy and Punishments naturally attending those who deviate from the Paths of Virtue; and intended as a BEACON to warn the rising Generation against the Temptations, the Allurements, and the Dangers of bad Company. The former Part extracted from authentic Records; and the Histories and Transactions of the modern Convicts, communicated by the unhappy Sufferers themselves, since the Author has been appointed to his present Office. By the Rev. Mr. VILLETTE,

ORDINARY of NEWGATE, and others. Vice is a Monster of such frightful Mien, As to be hated, needs but to be seen. POPE. London: Printed for J. WENMAN, No. 144, Fleet-street, and sold by all other Booksellers. 1776.

“An anonymous rhimer,” comments the writer (probably *not* Mr. Villette, chaplain of Newgate), “imagining that this execrable murder was a proper subject for drollery, exerted his talent in composing the following ballad.”

A Song on the Murder of Mr. Hays

(To the Tune of *Chevy Chase*.)

BY MRS. HAYS

I

IN Tyburn-Road a man there liv'd
A just and honest life;
And there he might have lived still,
If so had pleased his wife.

II

But she to vicious ways inclin'd
A life most wicked led;
With taylors, and with tinkers too,
She oft defil'd his bed.

III

Full twice a day to church he went,
And so devout wou'd be;
Sure never was a saint on earth,
If that no saint was he!

IV

This vex'd his wife unto the heart,
She was of wrath so full;
That finding no hole in his coat,
She pick'd one in his scull.

V

But then her heart 'gan to relent,
And griev'd she was so sore;
That quarter to him for to give,
She cut him into four.

VI

All in the dark and dead of night,
These quarters she convey'd;
And in a ditch at Marybone,
His marrow-bones she laid.

VII

His head at Westminster she threw,
All in the Thames so wide;
Says she, my dear, the wind sets fair,
And you may have the tide.

VIII

But heav'n, whose pow'r no limit knows
On earth, or on the main,
Soon caus'd this head for to be thrown
Upon the land again.

IX

This head being found, the justices
Their heads together laid;
And all agreed there must have been
Some body to this head.

X

But since no body could be found,
High mounted on a shelf
They e'en set up the head to be
A witness for itself.

XI

Next, that it no self-murder was,
The case itself explains,
For no man could cut off his head,
And throw it in the Thames.

XII

Ere many days had gone and past,
The deed at length was known,
And Cath'rine she confess'd, at last,
The fact to be her own.

XIII

God prosper long our noble king,
Our lives and safeties all,
And grant that we may warning take
By Cath'rine Hays's fall.

vi

PIRATES ARE SURLY SCOUNDRELS at best, yet no annals of eighteenth-century crime would be complete without one. I am indebted to Raymond Postgate, therefore, for revealing a gallant pirate, a sentimental pirate, a very Casanova among pirates. His story comes from Mr. Postgate's *Murder, Piracy and Treason*.

Lieutenant Richardson *the Pirate*

BY RAYMOND POSTGATE

FOR the most part pirates were abominable brutes. They have no right to the romance with which later writers have invested them. There was sometimes chivalry or wit to be found among the highwaymen, but the records of Blackbeard, Kidd or Morgan are tedious stories of revolting cruelty and dishonest greed. It is a great relief to meet, in this company, John Richardson, the New York pirate, who has but one murder to his discredit, and whose failings were of a more forgivable nature than those of his fellows. Before he met the usual fate of pirates, at Execution Dock on the Thames on January 25th, 1738, he wrote a cheerful and unashamed account of his life.

Richardson was the son of a New York goldsmith, and after two years of school was bound apprentice to a cooper. Almost at once he ran away to sea, but after one voyage he returned to New York and settled down, to all appearances, to learn the trade of a carpenter with one Peter Carley. Five years passed before the frailties which were to ruin him showed themselves. In this fifth year the condition of his master's daughter could not be concealed, nor was there any doubt who was the father of the expected infant. Richardson, following his invariable custom, ran away: he took a ship to Jamaica, but no sooner had he arrived than the press-gang caught him and he had to serve on a man-of-war bound for

Reprinted from *Murder, Piracy and Treason*, by Raymond Postgate (Jonathan Cape, Ltd.), by permission of Raymond W. Postgate.

England. From London he engaged himself on a Baltic ship, where he found the service uncomfortably cold.

Up to now he had led an undistinguished life of theft and misery. Now he saw possibilities of gain and amusement on a large scale. He provided himself with a sum of money, by forging a letter from his captain to a merchant, gave the ship the slip and escaped to Amsterdam, prepared to live on his wits.

He was a young man, good-looking and unusually attractive to women. His manners were charming, he was an expert dancer and could sing passably. His conversation was witty and cheerful, and his method of making love was irresistible. That he was absolutely venal, and would leave as soon as the money was exhausted, his victims found out later. He was not brutal, nor unusually dishonest, nor the mixture of bully and coward that generally make a pirate. But he must have women, and, if possible, a variety of women at the same time, and he looked to them to provide him with funds.

His first conquest was the wife of a Dutch mate, who was on a voyage to the East Indies. The good lady found her house cold and empty: Richardson was only too willing to oblige and lived comfortably and idly with her until she warned him, after eight months, that her husband was due home and he must go. He consented, but for a farewell took her to the theatre, and then to an inn to drink a last time together. She drank plentifully at his urging, and soon was almost helpless. He gallantly piloted her home, undressed her, put her to bed, took her keys and abstracted £60. Then he went to the warehouse, took approximately £200 worth of the most movable goods, and set out next morning for Boston via Rotterdam. Years afterwards he met his lady again in Amsterdam, but she made not the least reproach to him, in case her husband found out other things besides the theft.

Richardson was now in clover. When he arrived in Boston he had valuable goods, and as things went then a considerable sum of money. He decided to go up country and marry a

rich wife, and so went inland about 50 miles beyond Fairfield to a town not named. Here he posed as a rich India merchant, with silks and cloths rarely seen in the country districts of Massachusetts. He was invited to several houses, and what pleased him more, gained the attention of the young women as much by his person as his wares. He selected from many others an invitation to stay with Mr. William Brown, who had three attractive daughters. To each young woman he declared separately his overmastering affection: he presented all three with charming presents from his stock: he represented himself as pining with desire, and they were not unkind to him. To the four maid-servants he was more cavalier, but his brusquer advances were no less successful, and he did not spend a lonely night. Seven young women at once, unknown to each other, were now his mistresses: seven young women were soon in an 'interesting condition.'

One would have thought that was enough to satisfy any man, however restless. But Richardson had his eye on the judge's daughter, who was esteemed the catch of the countryside. He formally asked the old gentleman, who had a position socially like that of an English squire (his name is given as Judge W . . . m), for permission to court his daughter: believing him wealthy, the old man consented. With this permission, Richardson had but little difficulty in persuading the girl that to refuse him the rights of a husband, merely because the ceremony had not been performed, would be unkind and unworthy. His seven were now eight.

The crash came when the banns had to be announced. The first Sunday all passed well, but the second Sunday, after reading them, a scandalous scene occurred in the little New England Church. There were seven angry young women present, who declared to the parson that Richardson had seduced them under a promise of marriage which there were the most urgent reasons for him to fulfil. Richardson slipped out during the uproar, and later received a letter ordering him never to visit the Squire's house again. Little he cared. He expected, and received, a few weeks later, an urgent

appeal to come to the house. He did so, was informed of the circumstances, and said he would marry the girl—for £300. This was agreed. When the others sued him for alimony, his father-in-law paid. 'The honeymoon being over before marriage,' observes the Newgate calendar, he was not anxious to stay, but slipped away again to Boston, where he spent all his money. But he was a skilled craftsman and had no trouble in getting work in a Quaker's shipbuilding yard.

The Quaker had a young wife, who was not too pleased with the austerities of his religion. The Quaker returned home one morning unexpectedly and found Richardson in the house. 'Friend,' he said, 'what business has thee here? Why dost thee not keep at thy work?' Richardson made some excuse about searching for a tool, and the Quaker did no more till the end of the week when he turned him off without wages, 'for I am of the opinion my wife has paid thee,' he said philosophically. Richardson equally calmly invited him to make that excuse in court, and his wages were paid. Moreover, he hung about Boston, until his employer had to go up country buying timber, when the wife at once sent for him and gave him proof that her husband's dislike was in no way shared by her. When her husband was due to return, Richardson bade her an affectionate farewell, abstracted £70 from the chest, and went to Philadelphia.

Here he took his lodgings with a widow who had two daughters. He first paid his attentions to the mother, who was a little surprised but not at all unwilling, and four months were passed happily until she accidentally found him in unmistakable circumstances with her eldest daughter—on a Sunday, too, when every one was supposed to be at church. He flattered and cajoled the foolish old woman into pretending she had seen nothing, until one day she found him in precisely the same circumstances with her second daughter. This time there could be no excuse: a husband was found for one daughter, and for £100 and half the plate in the house Richardson consented to marry the other. As soon as

the ceremony was over he left the house for ever, and went to South Carolina, where he lived as a gentleman until the exhaustion of his money made him go as mate on a Jamaica boat.

In Kingston harbour he was left in charge of the boat, but his manners and address were so appreciated by this out-of-the-way provincial society that the owner of the ship took him, with his own daughter, to a wedding dance. On the way home, Richardson having gallantly offered to escort the daughter, conveniently lost his way in a thick wood and became dizzy and had to stop. When he was prepared to go on, 'not yet,' said she, 'I have stayed here a good while for your pleasure and surely you will not deny to stay a little longer for mine.' The manners of Jamaica appeared to differ from those of New England: he had never before received so direct an invitation, and he found she was quite prepared to come to his cabin to continue the intrigue. More astonishing still, her father, on receiving the inevitable news of Richardson's behaviour, merely said 'The braver fellow he!' sent for Richardson, cracked some broad jests and said, 'Since she and you have been such fools, you must take her and marry her.' Which was done, and Richardson was fitted out with a ship and cargo.

He had scarcely set sail before a storm sank his ship and cargo. He was tossed about in an open boat until he was rescued and taken to St. Kitts, where he heard of the death of his Philadelphia wife, at which he was genuinely and deeply distressed. He wandered about the West Indies for a time, wretched and penniless, raised money at one time by pretending to be the son of Governor Richardson of Antigua, and eventually drifted to England and sponged upon a public-house keeper at Chatham, who took him—such was Richardson's absurd good luck—for a long lost brother. By his usual methods he secured £300 from a girl called Anne Knolding, and went off to Venice to spend it.

Soon enough, of course, he was down on his luck again, and engaged himself as a ship's carpenter on the *St. John*

under Captain Benjamin Hartley. Outside Patras, he and the mate Coyle came to the murderous resolution of killing the Captain and turning pirates. They broke into the captain's cabin that night, but he escaped and they chased him up on deck, where he got up on to the shrouds. Coyle attempted to shoot him with a blunderbuss, but it missed fire and the Captain knocked it into the sea. At last a concerted rush was made by the two conspirators and their assistants. The captain was pinned to the side and they tried to thrust him over. He clung desperately, while Coyle tried to stun him by beating him on the head. Richardson at last, perhaps mercifully, lifted an axe and split his skull.

They threw the body into the sea. Coyle was made captain and Richardson mate, and they set out on a pirate's voyage. This turned out to be wretchedly unsuccessful. Richardson was not meant for such warfare. The ship met bad weather, wandered vainly between Malta and Majorca, until at last she anchored at the Spanish island of Fovignano (Favignana, off Sicily). Here two cabin-boys betrayed the pirates to the Spanish Governor, and Coyle and Richardson only just escaped. They drifted up and down Mediterranean ports, living on Richardson's facile tongue and disarming appearance, but the news of Hartley's death was about. Coyle was caught at Tunis, Richardson a little while later at Civita Vecchia.

He was brought up for trial in December, 1737. The evidence was heavy against him. The captain's boy, Wallis, recounted the killing of the captain: how he had been chased round the ship: how he had cried 'For Christ's sake, for Almighty God's sake, spare my life': how the blunderbuss had missed fire and Richardson had cut him down. He did not see Coyle strike him, but Richard Durrant, a member of the crew, besides confirming the rest of the evidence, swore that Coyle repeatedly beat the Captain on the head with a chicken trough. A third member of the crew, William Metcalfe, told the same story. Coyle, who was tried first, made a long, rambling defence, in which he blamed Richard-

son for everything: Richardson did not trouble to defend himself. Coyle, awaiting his death, expressed pious sentiments and deep repentance: Richardson behaved with most improper levity and occupied himself with cataloguing his amorous adventures. His last message was addressed to his sister, Jane Richardson of Soho Square, who had refused to lend him £20. 'Your ungenerous and ungrateful spirit,' he wrote, 'I hope will meet with its due reward. I hope your twenty pounds will melt and waste from you like snow against the sun. . . . I conclude in my hearty wishes that you may meet with all the unhappiness that can attend a woman.' With these unedifying observations he went to Execution Dock on Wednesday, January 25th, and from his fate, observes the Newgate Calendar, young men should be warned to beware of debauchery and young women to beware of love for fine clothes, especially India silks.

vii

THE CAIRD OF BARULLION is by long odds my favorite foot-pad. I am partial to gipsies, and Willie Marshal, King of the Gipsies of the Western Lowlands, steps forth as one of the most engaging of the Romany breed.

The Caird of Barullion might have been lost to history, if it had not been for the affectionate pen of Sir Walter Scott, who immortalized him in the note to *Guy Mannering* which follows; and he would certainly have been lost to this volume, and my book made the poorer thereby, if it had not been for my friend James Sandoe and his nose for the unusual in chronicles of crime.

The Gipsy Foot-pad

BY SIR WALTER SCOTT

WILLIE MARSHAL, more commonly called the *Caird* of Barullion, King of the Gipsies of the Western Lowlands, was himself deserving of notice. In his youth he occasionally took an evening walk on the highway, with the purpose of assisting travellers by relieving them of the weight of their purses. On one occasion, the *Caird* of Barullion robbed the Laird of Bargally, at a place between Carsphairn and Dalmellington. His purpose was not achieved without a severe struggle, in which the Gipsy lost his bonnet, and was obliged to escape, leaving it on the road. A respectable farmer happened to be the next passenger, and seeing the bonnet, alighted, took it up, and rather imprudently put it on his own head. At this instant, Bargally came up with some assistants, and recognizing the bonnet, charged the farmer of Bantoberick with having robbed him, and took him into custody.

There being some likeness between the parties, Bargally persisted in his charge, and though the respectability of the farmer's character was proved or admitted, his trial before the Circuit Court came on accordingly.

The fatal bonnet lay on the table of the Court; Bargally swore that it was the identical article worn by the man who robbed him; and he and others likewise deponed that they had found the accused on the spot where the crime was committed, with the bonnet on his head. The case looked gloomily for the prisoner, and the opinion of the judge seemed unfavourable.

But there was a person in Court who knew well both

who did, and who did not, commit the crime. This was the Caird of Barullion, who, thrusting himself up to the bar, near the place where Bargally was standing, suddenly seized on the bonnet, put it on his head, and looking the Laird full in the face, asked him, with a voice which attracted the attention of the Court and crowded audience—

“Look at me, sir, and tell me, by the oath you have sworn—am not *I* the man who robbed you between Carsphairn and Dalmellington?”

Bargally replied, in great astonishment,

“By Heaven! You are the very man.”

“You see what sort of memory this gentleman has,” said the volunteer pleader: “he swears to the bonnet, whatever features are under it. If you yourself, my Lord, will put it on your head, he will be willing to swear that your Lordship was the party who robbed him between Carsphairn and Dalmellington.”

The tenant of Bantoberick was unanimously acquitted, and thus Willie Marshal ingeniously contrived to save an innocent man from danger, without incurring any himself, since Bargally’s evidence must have seemed to everyone too fluctuating to be relied upon.

While the King of the Gipsies was thus laudably occupied, his royal consort, Flora, contrived, it is said, to steal the hood from the Judge’s gown; for which offence, combined with her presumptive guilt as a gipsy, she was banished to New England, whence she never returned.

viii

YOU WILL NEVER BELIEVE that this tale of the wicked uncle and the kidnapped heir could have happened. You will never believe that my Lady could be brought to bed, and the thing remain so dubious twenty years after. You will never believe that there could be squires so wicked, so profane, so dissolute, so cynical, as the evil-hearted Annesleys, nor households so ill-regulated. Yet the thing happened, and the records of the law courts hold the whole black story. It was never a matter of dispute whether Jemmy Annesley was not shanghaied by his uncle, and attacked mortally with such curious weapons as a prosecution for murder and a coach-and-six; the only point of debate was whose child he was.

The story has been best told in recent days by John Paget in his *Paradoxes and Puzzles*, and it is his sober, clear-headed account which follows to cast light on the old scandal of the heir of Annesley.

The Annesley Case

BY JOHN PAGET

WHEN the Captain of the Great Britain ran that unfortunate vessel on to the sands of Dundrum Bay, it was urged in his excuse, that so many marvellous tales are told about Ireland, that he was justified in concluding that no obstacle lay in his road from the Isle of Man to New York; that Dublin was as fabulous as Blefuscu; and that the Mourne mountains had no more real existence than the loadstone hill which proved fatal to the ship of Sindbad. The story we are about to tell might almost justify such incredulity; yet it is only one of many equally strange and equally well authenticated.

In the year 1706, Arthur Lord Altham, a needy and dissolute Irish peer, married Mary Sheffield, an illegitimate daughter of the Duke of Buckingham. They lived together for three years; but in 1709 Lord Altham went to Ireland, leaving his wife in England, where she remained until 1713, when she joined her husband in Dublin. From that time until 1716, they resided together, principally at Dunmaine, in the neighbourhood of Ross, in the county of Wexford. In 1716 they separated, under circumstances which we shall presently have occasion to notice more minutely, and never met again. In 1727 Lord Altham died, and was succeeded in his title and estates by his brother Richard Annesley, who remained in undisturbed possession of both for a period of thirteen years. Lady Altham survived her husband for about two years, which were passed in sickness and poverty, but does not appear ever to have taken any step to prevent Richard Annesley's assumption of the character of heir to her husband,

to which, of course, he would have had no title if she had a son living at the time of Lord Altham's death. In the year 1739, however, a young man of about four-and-twenty years of age made his appearance in the fleet which, under the command of Admiral Vernon, was lying off Porto-Bello. He called himself James Annesley, stated that he was the son of Lord Altham, that he had been educated and acknowledged as such son until he was nine or ten years of age; that upon the death of his father he had been kidnapped and sold for a slave in America; that he had passed thirteen years in servitude, and at last (after a series of romantic and not very credible adventures, which have nothing to do with our present subject) had effected his escape. Admiral Vernon furnished him with the means of proceeding to England, where he arrived shortly afterwards.

On his arrival in England he went to lodge at Staines, in the neighbourhood of Windsor, and here a circumstance occurred which had no doubt a considerable effect on the subsequent proceedings. One of his associates, a man of the name of Redding, was gamekeeper to Sir John Dolbin, the lord of the manor. One morning James Annesley was out with a gun shooting small birds, when Redding called him to assist in capturing a net with which a man of the name of Egglestone was fishing in the river; Annesley's gun unfortunately went off in the scuffle, and mortally wounded Egglestone. There could be little doubt that the discharge of the gun was purely accidental; but Lord Anglesea (for Richard, Lord Altham, had in the mean time succeeded to that title also) seized the opportunity to destroy, as he thought, the claimant of his title and estates. He instituted a prosecution against James Annesley for murder; he was prodigal of money and promises amongst the witnesses; and he declared that he would willingly give ten thousand pounds to get him hanged. The jury at the Old Bailey acquitted Annesley, and Lord Anglesea's machinations recoiled upon himself; for there can be no doubt that they greatly influenced both the court and jury against him on the subsequent trial.

On the 11th of November 1743, the trial for the recovery of the estates came on in the Court of Exchequer in Dublin. It lasted fifteen days, and above ninety witnesses were examined. The issue between the parties was of the simplest and boldest character. On the one hand, it was asserted that, in the spring of the year 1715, Lady Altham had been delivered at Dunmaine of a son and heir; that all the customary solemnities and rejoicings had taken place; that the child was uniformly acknowledged and treated both by Lord and Lady Altham as their son; that he was shown and spoken of as such to visitors and friends; that when the separation between his parents took place, the mother passionately entreated that she might be permitted to take the child with her, which the father refused, keeping the boy and educating him as the heir of his title and estates. On the other hand, it was denied that Lady Altham ever had a child at all. It was asserted that the very ground of the separation between herself and her husband was the discomfort and disappointment occasioned by her bearing no heir; that it was known to every relation and visitor, to every servant in the house, that Lady Altham never had a child; that the servant who had attended her from her arrival in Dublin to the hour of her death, who had dressed and undressed her every morning and evening, and had never been absent for more than one single week during the whole of that period, was living, and would prove, not only that no child ever was born, but that there never was the slightest chance or probability that Lady Altham would have a child. It is impossible to conceive a simpler issue, or one which might be supposed to be easier for conclusive proof one way or the other; yet two juries came to diametrically opposite conclusions, and so positive is the testimony on each side, that it seems even now, after carefully reading the contradictory evidence which is preserved in upwards of five hundred columns of the State Trials, to be impossible to arrive at any satisfactory result.

It is to be observed that the question raised by this issue

was not one of personation or disputed identity. If Lady Altham ever had a son, it was virtually admitted that James Annesley was that son. Nor was the case one of concealed or doubtful marriage, or obscure birth, such as have frequently occupied the courts. From the arrival of Lady Altham in Ireland until her separation from her husband, a period of about three years, they resided publicly together, kept a large establishment of servants, and visited and associated with persons of the most various rank and position in the neighbourhood. It seems incredible that any dispute should ever have arisen upon a point so easy of proof as whether persons of their rank, and so circumstanced, had or had not a child; and as we read the evidence adduced, the testimony on the one side seems absolutely conclusive, until it is met by contradictory evidence, to all appearance equally conclusive, on the other.

The household at Dunmaine was large and disorderly, consisting of sixteen or seventeen servants, from the English housekeeper, who was "sent over by my lady," and who rejoiced in the appropriate name of "Mrs Settright," down to "Smuttery the dog-boy, who was very ugly." Poor Smuttery! immortalised by his ugliness. He shows his ill-favoured countenance for a moment, and disappears into utter obscurity. Lord Altham had about him, also, a number of hangers-on and humble companions; but, besides these, he associated with gentlemen of his own rank and position; and one of the first witnesses called on behalf of the claimant was a Major Richard Fitzgerald.

The Major deposed that in the year 1715 he was in the town of Ross, having had occasion to go there on account of some business arising from the death of his uncle, a Mr Pigott, who lived in the county of Wexford. In Ross he met Lord Altham, who invited him to dinner. The Major excused himself, as he was engaged to dine with some brother officers; "but Lord Altham said deponent must dine with him, and come to drink some groaning drink, for that his wife was in labour. Deponent told him that was a reason he ought not to

go; but Lord Altham would not take an excuse, and sent the deponent word the next day to Ross, that *his wife was brought to bed of a son*; and the deponent went to Dunmaine and dined there, and had some discourse about the child, and Lord Altham swore that the deponent should see his son, and accordingly the nurse brought the child to deponent, and deponent kissed the child, and gave half-a-guinea to the nurse; and some of the company toasted the heir-apparent to Lord Anglesea at dinner. That this was the day after the child was born: and deponent says that he left the country the next day, and went to the county of Waterford, to his own house at Prospect Hall. Says deponent saw the woman to whom he gave the half-guinea, this day of his examination; that he remembers her well, because he took notice of her when he gave her the half-guinea, that she was very handsome; that he did not stay at Dunmaine that night, but came to Ross at nightfall, and was attacked in the road by robbers; that he crossed the ferry on his return home; remembers that Lord Altham was in high spirits with the thoughts of having a son and heir." *

It seems impossible to add to the force of this testimony. No attempt was made to impeach the character or credibility of the witness. Everything concurred to fix the time and circumstances in his mind; mistake appears impossible; and no motive is assignable for wilful falsehood. Nor is the evidence given by the next witness less conclusive. John Turner was seneschal to Lord Anglesea. He had lived at Dunmaine for ten years; he had visited Lord Altham; and soon after his own marriage, which took place in December 1714, he observed appearance of pregnancy in Lady Altham. He says that the next time he saw Lady Altham she told him she had a son; that he afterwards saw the boy, and had him in his arms at Dunmaine when he was about a year and a half old; that Lady Altham led the child across the parlour, and Lord Altham kissed him and called him "Jemmy;" that he saw the child subsequently at Ross, and afterwards at Kinnay

* State Trials, xvii. 1153.

and Carrickduff, after the separation between Lord and Lady Altham, when he was treated by his father in all respects as his legitimate son; that in the year 1722, meeting Lord Altham at a tavern in Dublin, the boy was sent for, and Lord Altham said to deponent, "You were seneschal to Earl Arthur and Earl John, and you may be seneschal to the child." *

During the eight-and-twenty years that had elapsed between the birth of the child in 1715 and the trial in 1743, it was to be expected that many of those whose evidence would have been most valuable should have died; amongst them were those who stood sponsors for the child at its baptism; Mr Colclough, Mr Cliff, and Mrs Pigott, members of families still holding high positions in the county of Wexford; but the fact of the christening, the rejoicings that took place, the bonfires and festivities, were proved by servants who lived in the house at the time, and proved repeatedly and consistently.

It is impossible within the narrow limits of an article to give even an outline of the evidence of the fifty witnesses who were called to substantiate the claimant's case. It would seem almost needless to strengthen the evidence of Major Fitzgerald and John Turner. Every conceivable confirmation, however, was given. Friends of Lord Altham swore to conversations with him, in which he had spoken in the most open manner of his son, and of the disappointment of his brother's expectations of being his heir. Witnesses were produced who had been present and assisting at the birth of the child; and it is very remarkable that, although these witnesses were drawn from every rank of life, no successful attempt was made to impeach the credibility of any of them, nor was any inconsistency to be discovered in their testimony further than might be satisfactorily accounted for by the long period that had elapsed between the events to which they spoke and the time when they gave their evidence. We now come, however, to the most remarkable conflict of testimony which occurs in the whole case. A woman of the name of Joan

* *Ibid.*, xvii. 1154.

Laffan was called. She deposed that she entered Lord Altham's service in 1715; that she was employed as nurse-maid to attend on the child as soon as he came from the wet-nurse; that he was at that time three or four months old, and was in her charge for about a year and a half; that he was treated in all respects as their child by both Lord and Lady Altham, who showed great fondness for him, and into whose bedroom she was in the habit of bringing the child in the morning.

She then gave an account of the separation between Lord and Lady Altham. "It was," she said, "on account of Tom Palliser." "My lord had laid a plot against him, and on one Sunday morning pretended to my lady that he was obliged to go out to dinner. That Mr. Palliser breakfasted with my lord, and they had a bottle of mulled wine for breakfast. As soon as my lord was gone out, Mr Palliser went into my lady's room, and, the plot having been laid before, a signal was made that brought my lord back; that my lord ran up with his sword, and had him brought out of the room, and the groom came to Palliser and said to him, 'Is this the way you keep my lady company?'" and took out a case-knife in order to cut his nose, but he was ordered only to cut his ear. *That deponent was standing by in the room, and she had the child in her hand, and he showed her the blood out of Palliser's ear; it was the soft part of the ear that was cut, and the child pointed at the blood that came out of the ear.*" * The same witness deposed that "she was present when my lord and lady parted; that she saw my lady at the door *with the child in her arms*; that my lord came out of the house in a great rage, and asked where his child was, and upon being told that he was with his mother, he ran up to her and snatched the child out of her arms; that my lady begged very hard she might take the child along with her, but *my lord swore he would not part with the child upon any consideration*; that my lady, finding she could not prevail, burst out a-crying, and begged she might at least give the child one parting kiss;

* State Trials, xvii. 1280.

that my lord, with some difficulty, consented, and then my lady drove away to Ross." *

Such is Joan Laffan's story, and we must keep in mind that at a subsequent period it was confirmed by another witness; † but in the mean time, let us turn to Palliser's account of the same transaction.

He stated that when he was very young he spent much of his time at Dunmaine, which was within about three miles of his father's residence, and used to ride Lord Altham's horses hunting. That one day as they were returning home, Lord Altham told him that he was determined to part with his lady; and upon deponent's asking him his reasons, my lord replied, "I find Lord Anglesea will not be in friendship with me while I live with this woman, *and since I have no child by her I will part with her.*" Palliser then gives an account, in all material circumstances the same as Joan Laffan's, of his being entrapped by Lord Altham into his wife's room, and falsely accused of being there for an improper purpose; he takes off his wig and shows the jury where his ear was cut, solemnly asseverates the innocence of Lady Altham, and declares not only that no child was present upon that occasion, but that he "*never saw a child in the house.*" Upon this the Court, "apprehending that there was some contradiction between the evidence of Palliser and that of Joan Laffan," as indeed they well might, ordered Laffan to be recalled, and the two witnesses to be confronted. Each repeated the story, each was equally clear, distinct, and positive. We have said that Joan Laffan's evidence was subsequently confirmed by another witness, who deponed to having been present at the parting of Lady Altham and her child. The same is, however, the case with the testimony of Palliser, which was confirmed by Mary Heath, Lady Altham's woman, who went with her in the carriage to Ross, and who swore, most positively, that no such child ever was in existence. It is to be observed that Palliser and Laffan agree that the charge against Lady

* Ibid., xvii. 1168, 1170.

† Ibid., 94.

Altham was false; that Laffan attributes the plot to the revenge of the servants, on account of some mischievous boyish tricks which had been played upon them by Palliser; whilst Palliser himself attributes it to the deeper and more probable motive of a determination on the part of Lord Altham to get rid of a wife from whom he hoped for no heir—a motive which we have seen give rise to some of the darkest domestic tragedies that have disgraced humanity. The case, however, is beset with difficulties on all sides; for if we are to accept the evidence of Palliser as true, the inevitable consequence follows, that we must hold, not only Joan Laffan, but Major Fitzgerald, Turner, and many, indeed most, of the fifty witnesses called on behalf of the claimant, who swore positively to the existence of the child, to have been deliberately perjured.

After the separation Lady Altham went to reside at Ross, and subsequently removed to Dublin. Her circumstances were extremely narrow, and her health bad, but she was faithfully attended until her death, which took place in October 1729, by Mary Heath. From her first arrival in Ireland, in 1713, a period of sixteen years, with the exception of a single week this woman was never absent from her. Whilst she resided at Dunmaine, Heath dressed her every morning, and undressed her every night; and this witness swore in the most distinct and positive manner that *she never had a child*. It seems to be enough to shake one's confidence in all human testimony to find evidence so clear, distinct, and unimpeachable, on each side; to be compelled to admit that on one side or the other there must be the most wilful and deliberate perjury, and yet to feel it impossible to say on which side perjury exists.

Lord Altham removed, shortly after his separation from his wife, to a place called Kinnay, in the county of Kildare, and the issue now assumes a different aspect. It is admitted that there was a child at Kinnay, that he was put to school by Lord Altham and treated as part of his family; but it is contended that he was the illegitimate child of Lord Altham, by a woman of the name of Joan Landy, who had been a

servant in the house at Dunmaine, and that he had been brought to the house subsequently to Lady Altham's departure.

In the earlier part of the case the claimant is met with the general denial—Lady Altham never had a son. Prove that she had, and we will admit you to be that son. In the latter part, the defendant says in substance, I admit that, during Lord Altham's residence at Kinmay, there was a boy who passed as his son. I admit that you are that boy; but you are not the heir of Lord Altham, but his illegitimate son by Joan Landy.

The whole of the evidence, therefore, changes its character: when Mary Heath swears that her mistress never had a child, whilst Eleanor Murphy swears that both she and Heath were present at the birth, one or the other must be perjured. But Lord Altham might use expressions as to "little Jemmy" which one witness might understand as being a distinct declaration of his legitimacy, and another might think only conveyed the expression of his affection for his natural child.

During the first period the existence of the child is denied; during the second it is admitted; and we shall now proceed to follow the fortunes of the boy, waiving for the present the question of who was his mother.

Lord Altham, after his separation from his wife, formed a connection with one Miss Gregory, who seems to have exercised an unbounded influence over him. After a short time poor "Jemmy" was turned out to wander in rags about the streets of Dublin. Here, however, he met with friends: a good-natured student in Trinity College, of the name of Bush, clothed and fed him, and employed him to run of errands, till his grandfather told him it was not fit he should have a lord for his servant, when he was turned out upon the world again. He was next taken charge of by an honest butcher named Purcell, who took him home and brought him up with his own son. Purcell tells the Court that whilst "the boy was in his house, a gentleman (who was then called Richard Annesley, and is the now defendant, the Earl of Anglesea)

came to deponent's house and asked if one Purcell did not live there, and said he supposed they sold liquors; that the gentleman had a gun in his hand, and sat down, and having called for a pot of beer, asked deponent if he had a boy in his house called James Annesley? To which deponent answered that there was such a boy in the house, and called his wife and told her that a gentleman wanted to see the boy; says that the child was sitting by the fireside, and immediately saw Mr. Richard Annesley, though he could not see the child by reason of the situation where he sat; says the child trembled and cried, and was greatly affrighted, saying, 'That is my uncle Dick;' says that when the child was shown to the defendant, he said to Jemmy, 'How do you do?' That the child made his bow, and replied, 'Thank God, very well.' That the defendant then said, 'Don't you know me?' 'Yes,' said the child, 'you are my uncle Annesley.' That thereupon the defendant told the deponent that the child was the son of Lord Altham, who lived at Inchcore; to which deponent replied, 'I wish, sir, you would speak to his father to do something for him.' " *

The child's fear of his uncle was not without good cause. About three weeks after Lord Altham's death, Richard Annesley came a second time to seek for the child, and desired it should be sent to one Jones's in the market. Purcell suspected mischief. The honest butcher shall tell his story in his own words: "Then deponent took a cudgel in one hand, and the child in the other, and went to the said Jones's house, when he saw the present Earl of Anglesea (who was then in mourning), with a constable and two or three other odd-looking fellows attending about the door; that deponent took off his hat, and saluted my lord, which he did not think proper to return; but as soon as he saw the child in the deponent's hands, he called to a fellow that stood behind deponent's back, and said to him, 'Take up that thieving son of a —— (meaning the child), and carry him to the place I bid you.' After some more language of the same kind from his lordship, the deponent said, 'My lord, he is no thief; you shall not take him from me; whoever offers to take him from me I'll knock his brains out;' then deponent

* State Trials, xvii. 1201.

took the child (who was trembling with fear) and put him between his legs." *

Some high words passed, but the butcher was true to his trust; the lord and the constable sneaked off, and the child was carried back in safety. He was not long so fortunate. Fear of a repetition of the attempt to capture him induced him, very foolishly, to leave his friend the butcher. He then took refuge in the house of a Mr Tigh; but it was not long before the emissaries of his uncle discovered his retreat, forced him into a boat, and on board a ship bound for Philadelphia, which sailed on April 1728. His uncle himself placed him in the ship, and returned to Dublin, thinking, no doubt, that he had heard the last of him. All the details of this nefarious transaction are given with the utmost minuteness, and without shame or hesitation, by the very agents who were employed in it. The share which Lord Anglesea took in the abduction of his brother's child is hardly disputed. The contention is confined to the point that the child was illegitimate. The villany of the act seems never to have struck any of the parties concerned. But this act appears to us to turn the wavering balance of evidence against Lord Anglesea. If this boy were really the son of Joan Landy, it could not be difficult for Lord Anglesea to procure proof of that fact whilst the events were so recent, whilst Lady Altham was still living, and when he had himself, by common consent, been admitted to the title and estates of his brother. If, on the other hand, he knew that the boy was his brother's legitimate son, he had the strongest interest to remove him out of the way before any inquiries could be made, and whilst he was in the obscurity into which his father had permitted him to fall.

Yet a suspicion, almost equally strong, against the truth of the claimant's case would seem to arise from the fact, that Joan Landy was living, and yet was never called.

The claimant's story was, that this woman was his nurse; that her own child, which was a few months older than himself, had died, when he was four or five years old, of smallpox.

* State Trials, xvii. 1202.

Who could be so valuable a witness for the claimant as this woman? Yet she was never examined, nor was her absence ever satisfactorily accounted for. If it is argued that she might have been called by either side—that it was equally open to the defendant to produce her to negative, as to the claimant to produce her to support the story—it may be answered, that she could hardly be expected to come forward to denounce her own son as an impostor. The non-production of a witness, who must have important evidence in her power, who was naturally the witness of the claimant, and whose absence is not satisfactorily accounted for, throws the gravest suspicion upon his whole case. To what conclusion, then, can we come? The jury, after a consultation of about two hours, found for the claimant. They must therefore have considered Heath, Palliser, Rolph, and the other witnesses who swore to the non-existence of the child, to have perjured themselves. The plaintiff appears to have been disposed to follow up his victory, for an indictment for perjury was at once preferred against Mary Heath. The same evidence was repeated; Joan Laffan was again examined. But the jury found her “Not guilty.” They must therefore have considered that Laffan, and all those who swore to Lady Altham having had a child, had been guilty of the crime of which they acquitted Heath. James Annesley does not appear to have taken any further steps to obtain possession of the estates and honours to which the decision of the jury had established his title. He died at Blackheath on the 2d of January 1760. His uncle Richard Annesley, Lord Anglesea, closed his career of profligacy and cruelty twelve short months afterwards. James Annesley left a son, who died an infant, and a daughter, who married, and whose children died young. Thus his line became extinct, and his rights, whatever they were, reverted to his uncle. Such was the termination of the “Annesley Case,” memorable for the dark mystery in which it must for ever remain shrouded, and for the curious picture which it affords of the manners and habits of life that prevailed little more than a hundred years before our own day.

THE HIGHWAYMAN OF ST. JAMES'S, Mr.

James Maclaine, was no great portent as a highwayman, but as a character in society comedy he is not to be missed. He had a flair for high life, and took care, even when pursuing his calling, to hold up no lesser personages than the Earl of Eglinton and Horace Walpole, Esq: After he was taken, all Mayfair laughed over a broadside courtroom scene in which Lady Caroline Petersham, appearing as a character witness for the gallant scamp, testified (on a label issuing out of her mouth) "He has often been about my house, and *I* never lost anything." From everything known about the sentimental scoundrel, she probably told no less than the truth.

Delicate justice has been done to the highwayman, his friends, and his world, by no less a pen than that of G. Thorn Drury, in one of the *Lives of Twelve Bad Men*.

Mr. James Maclaine, the Gentleman Highwayman

(1724-1750)

BY G. THORN DRURY

“One that can
Shew thee what ’tis to be a gentleman.”
I. C., *Art. Mag.*, 1649.

IF a man has any claim to the title of “Gentleman” his surest way to sustain it, is to leave no one any room to doubt that he thoroughly deserves that of “scoundrel.” For if, when the time arrives for a public acknowledgment of his right to the latter, his friends hesitate to insist upon his honourable origin, he may be quite sure that it will be remembered—as an additional aggravation—by his enemies. Had Mr. James Maclaine been content to confine his energies to the dispensing of sand and small-coal in the neighbourhood of Welbeck Street, Cavendish Square, it is more than probable that no one would have suspected his connection with an honourable family in the north of Scotland. From such a stock, however, did he derive his descent. His father, Lauchlin Maclaine, after having been educated in the University of Glasgow, proceeded to Ireland to take charge of a Presbyterian congregation at Monaghan, and there married his wife, a lady of a family as reputable as his own. To them were born three children—Archibald, James, and Anne Jane. Mr. James Maclaine first saw light in 1724, and passed his early years

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under the eye of his father from whom he imbibed those Principles of Religion which, according to his own account, persisted in obtruding themselves upon him throughout his life. Of the evil effects of evil surroundings upon the youthful mind we have all been warned—less attention has been bestowed upon that tendency to violent revolt which is sometimes fostered by the precepts of the pious. When the cynic comes to multiply instances of this phenomenon Mr. James MacLaine must not be forgotten; meantime take this from the philosophy of Yuba Bill, “Ef that’s the man, I’ve heerd he was the son of some big preacher in the States. . . . They’re the wust kind to kick when they once get a foot over the traces. For stiddy, comf’ble kempany, give me the son of a man that was hanged!”

Besides imparting to him religious instruction, Mr. MacLaine, who intended his son for a mercantile career, also “grounded him in Latin, writing, and accompts”—a system of education to which the ungrateful youth was afterwards rather inclined to attribute his many errors and even his untimely end. A scheme for the advancement of his son, which was being discussed between Mr. MacLaine on the one side and a Scottish merchant in Rotterdam on the other, was put an end to by the death of the minister, and, his mother having died some years previously, James was left an orphan at the age of eighteen. His brother, already established as English chaplain at the Hague, appears to have been absent from home at the time of his father’s death, for James immediately took possession of all their little inheritance and applied it to his own purposes. His contempt for learning he displayed by selling his father’s books, and his vanity by the purchase of a gay coat and a gelding. Thus furnished he began his career as a squire of dames, and for the next twelve months was constant in his attendance upon the daughters of the neighbouring farmers at all the fairs for ten miles round. This occupation Mr. MacLaine doubtless found more pleasant than profitable, and so the idea of establishing his fortunes by a rich marriage—an idea to which he clung throughout his short life—naturally occurred to

him. Naturally, because, as one of his early biographers says, "He never could put it out of his head that the ladies, who are extreme good judges—at least of the natural parts—could look upon his charming person with indifference."

With these natural advantages and some assistance from a cheap tailor he set out for Dublin in pursuit of his design, but whether it was that the ladies of that city were not such "extreme good judges" as he supposed, or he was lost in a superfluity of handsome men, Mr. MacLaine's hopes were not realised. He advanced no further in his attempts upon the heiresses than to an acquaintance with their lacqueys, and having in a few months spent all his substance he was forced to sell his tawdry finery and to set out on foot for Monaghan. His relatives, who had been deaf to his requests for assistance while he was at Dublin, either received him coldly or refused to see him, and they who had been the companions of his former riots made him "the may-game of the town." His credit was gone, and only his sister remained faithful to him and assisted him with her pocket-money. In these straits he took service with a Mr. Howard,—to supply the place of a livery servant who had just then died—and accompanied his master to England. His insolence procured his dismissal from this situation, and once more he set his face towards Monaghan, where he heard his sister was on the point of being married to a man of wealth. He went ostensibly to lay before his relatives a plan of emigration to the West Indies, which only awaited their approval and support, but though this was an enterprise which they would no doubt have gladly sanctioned, it was not, he discovered, one in which they felt inclined to embark any capital. In addition to this disappointment, the gentleman who was engaged to his sister felt compelled to decline the honour of an alliance with him and broke off the match. Once again Mr. MacLaine was involved in difficulties, and however much his pride must have rebelled, his necessities again consented to service, and he became butler to a gentleman in the neighbourhood of Cork. In this situation he took such excessive care of his master's property that he was unable to

distinguish it from his own, and was in consequence reduced to wander about the country, saved only from starvation by remittances from his brother at the Hague.

About this time it was proposed to Mr. Maclaine that he should take service in the French army, but here the Principles of Religion made their inconvenient appearance, and he found that his conscience would not allow him to ally himself with the professors of another faith. Upon which his biographer remarks with some simplicity, and probably more truth—"I am afraid, at least it would appear by his future conduct, that he must have had some other motive to decline that service than scruples of conscience." To the English army, however, there were no such objections to be made, and by the generous assistance of the master whom he had robbed he was put in the way to join Lord Albemarle's troop of Horse Guards; his passage to London was paid, but upon his arrival he appears to have found the attractions of the metropolis too powerful, and Lord Albemarle, who was then in Flanders, never had the honour of numbering Mr. Maclaine among his troopers. Cast once more upon his own resources, he essayed the *rôle* wherein Mr. Thomas Jones runs so great a risk of forfeiting our esteem. A countrywoman of his, a lady whose eccentricities do not appear to have been sufficiently pronounced to have preserved her name, cast favourable glances upon him, and under her auspices he was for some time enabled to make a flaming figure at all places of public resort. At last, however, it was manifested to him that the part he played was surrounded by dangers as well as difficulties, for one day when he was engaged in expressing his sense of his obligations to his inamorata, he was interrupted by the unexpected entrance of a "noble peer," to whom he was an entirely unauthorised under-study. The peer made his acknowledgments by bestowing a sound thrashing upon Mr. Maclaine and offering to run him through the body—attentions which the latter, though he was quite as strong and as well armed as his assailant, received without any active objection. No man had greater natural courage than himself, so Mr. Maclaine said, if only the cause were good:

unfortunately for his reputation it generally happened that when an occasion arose for its display, it was not such as a conscience imbued with the Principles of Religion could well approve.

As a result of this incident the lady was reduced to pursue her calling in a humbler sphere and Mr. Maclaine suffered a temporary eclipse. From his retirement he was drawn by another countrywoman of his, a lady of quality, from whom he again accepted the position of a petticoat pensioner. Here he seems to have been as much impressed by the difficulties of the situation as he had lately been by its dangers, and he quickly came to the conclusion that the comparative freedom of a matrimonial connection with the daughter of his patroness was much to be preferred to the irksome drudgery of his present service. Unfortunately he was betrayed by the younger lady's waiting-woman, whom he had engaged to assist him in the prosecution of his design, and once more his occupation was gone. His confidence in the fair sex was not, however, altogether misplaced, for at this juncture some ladies of his acquaintance came to his assistance and provided him with means to emigrate to Jamaica—a project with which he once more flattered the hopes of his relatives. Once possessed of the money, however, his thoughts turned in other directions, and having redeemed the fine clothes, which his necessities had obliged him to pawn, he put on with them a fresh resolution, and forgetting Jamaica betook himself to a masquerade instead. Here the gaming-table quickly robbed him of what remained of these friendly contributions, but Fortune, faithful to the old adage, recompensed him with the affections of a Miss MacGlegno, the daughter of a respectable innkeeper and horse-dealer. The charms of this lady, or the more substantial attractions of five hundred pounds, her portion, so prevailed upon Mr. Maclaine that he married her and settled down to the commonplace existence of a grocer in Welbeck Street, Cavendish Square. Here he earned the reputation of being both industrious and obliging, and but for a certain extravagance in dress would hardly have invited the attention of his neighbours.

At the end of three years his wife died, and her loss proved to Mr. Maclaine a calamity far greater than he could possibly have imagined. She had been attended during her last illness by one Plunkett, an Irish apothecary, and though it is suggested that she had not been killed by any excessive kindness on the part of her husband, this worthy took upon himself the task of lightening the affliction of the widower. Addressing Mr. Maclaine familiarly as "Honey," he said, "though he had lost a good wife, yet, as she was gone, it was to no purpose to grieve much about the matter, since it might in the end turn out the most lucky incident of his life, for if he would allow him to go snips with him in the fortune, he would help him to a woman worth at least £10,000 in possession."

This proposition at once commended itself to Mr. Maclaine; it had been an early dream of his, and his faith in his own merits was always sufficient to keep such a project well within the limits of the practical. He sold up his stock in Welbeck Street (he afterwards explained this action by saying that he "found a decay in trade, arising from an unavoidable trust reposed in servants"), he consigned the child his wife had left him to the care of his mother-in-law, and took lodgings for himself in the neighbourhood of Soho Square, whence he, who a few weeks before "was not ashamed to carry a halfpenny-worth of sand or small-coal to his customers," emerged in all the glory of laced clothes, hat, and feather. Taking upon him the title of a peer, Mr. Maclaine, with Plunkett in attendance as his servant, set out upon his quest which led him eventually to the Wells; there, during an altercation in the public room, my Lord was recognized by a half-pay officer who had known him as a footman, and ignominiously kicked out of the company. Returning to London with but five guineas in his possession, Mr. Maclaine yet once more bethought him of Jamaica, and having been fortunate enough to meet with a sympathetic fellow-countryman upon 'Change, he was by his efforts put in possession of a sum of sixty guineas to fit himself out for the voyage. But it was not to be. Mr. Maclaine was not destined to leave his country for his country's good—at

least not by way of Jamaica. He went to a masquerade to take one last farewell of the gaieties of London; he tempted Fortune, and though she smiled upon him at his entrance, she ended by entirely averting her countenance, and he left the place without a guinea in his pocket. In these straits the Spirit of Evil appeared in the guise of Mr. William Plunkett, who, upon hearing of Mr. Maclaine's desperate situation, delivered himself of the opinion that brave men had a right to live and not want the conveniences of life while dull, plodding, busy knaves carried cash in their pockets—upon such they must draw to supply their wants. Although this method of ministering to one's necessities was, according to Mr. Plunkett, the prerogative of the brave, he ended somewhat illogically by declaring that scarce any courage was needed for putting it into execution. Mr. Maclaine listened to the voice of the tempter, and failing upon this occasion to hear anything in reply from the Principles of Religion, he decided to commence highwayman. Two horses were hired, while the necessary pistols seem to have been directly provided by Mr. Plunkett, from which circumstance it has been surmised that this was not his first entrance upon this profession: possibly it was thought that he, being an Irish apothecary, was already sufficiently well armed with weapons of offence for all legitimate occasions.

On the evening following the taking of their resolution the companions met upon Hounslow Heath, intending to lie in wait for people going to and from Smithfield.

Their first victim was a grazier, whom they robbed of about seventy pounds. In this, and indeed in all their subsequent transactions, Mr. Maclaine was very far from displaying that light-hearted recklessness usually associated with gentlemen of his profession. He was, as a rule, content to view the proceedings from a distance, or at most to hold the horses' heads, while his companion took the risk of a bullet from any "dull, busy, plodding knave," who might object to hand over what he had about him. Mr. Maclaine has left us his own explanation of his diffidence, which is indeed fortunate, for were it not offensive to our reason to suppose that a gentleman

would boast of that which he did not possess, we might almost have been inclined to suspect that he was an arrant coward. Nor did Mr. Maclaine easily recover his equanimity: upon this first occasion he was overwhelmed with apprehensions, and refused for some days to stir out of the room which he and Plunkett had engaged at an inn some ten miles from the scene of their exploit. Nothing would satisfy him but to retire for a week or two into the country; and with this desire Mr. Plunkett appeared to comply. Accordingly they set out in the direction of St. Albans, but they had not proceeded more than three miles upon their way when the ex-apothecary informed his companion that it was not retirement he was seeking in the country, but more favourable opportunities for the exercise of the profession they had adopted. It was only with the greatest reluctance that Mr. Maclaine promised his co-operation, and when a stage-coach immediately came in sight, he was most urgent to be allowed to withdraw. But Mr. Plunkett reproving his want of confidence, he at length agreed to stand to his promise, saying (which was scarcely complimentary to his friend), "Needs must when the devil drives; I am over shoes and must over boots." From the passengers in the coach they obtained two gold watches and about twenty pounds in money, with which they returned to London, after having lurked for several days in the neighbourhood of Richmond and Hampton Court.

Mr. Maclaine's face was now steadfastly set towards Jamaica, but he was so truly unfortunate in timing his arrival in London that he found that the ship, whose passengers he might probably have insured against any risk of drowning, had sailed two days before. Henceforth he appears to have resigned himself to his fate, and to have finally adopted the profession which he may be said hitherto to have followed only *en amateur*. He took up his residence at the house of one Dunn, in St. James's Street, opposite the Old Bagnio, in order that he might make himself acquainted with the movements of the gentlemen who frequented that establishment, and take occasion to follow them when they set out. Mr. Plunkett lodged

in Jermyn Street, and the faces of the confederates were as well known, says Horace Walpole, as those of any gentlemen in the neighbourhood. For some time they confined their operations to the environs of London and reaped a rich harvest; but it might be said of them, as of other gentlemen of similar pursuits, that what they collected with spoons they dissipated with shovels. Mr. Plunket, like Captain Cottle, "was all for love, and a little for the bottle," while Mr. Maclaine, *bene natus* as he was, had a proper desire to appear *bene vestitus*, and endeavoured to find distraction in the society of "young people of figure and fortune." But the latter's "sickly conscience" allowed him no repose; he was frequently observed to be under extreme agitation of mind, "even to the rolling about his room in great agony," and the ladies and gentlemen of his acquaintance were moved to inquire whether such conduct did not betoken some embarrassment of his affairs.

Besides his residence in St. James's Street, Mr. Maclaine found it convenient to have another place of resort, a country lodging at Chelsea. Here he appointed to repay a sum of twenty pounds which he had borrowed from a confiding citizen's wife with whom he had an intrigue—an indulgence in honesty which he was the better able to afford as he had arranged, without the lady's knowledge, that his friend Mr. Plunkett should meet her on her return to London. This was not the only trick Mr. Maclaine played upon those who had some reason to expect better treatment at his hands, for having, in company with Mr. Plunkett, taken to the Chester road, he robbed among others an intimate acquaintance by whom he had but two days before been most hospitably entertained in London. Immediately upon their return from this expedition the confederates learned that an officer of the East India Company's service was upon the point of setting out for Greenwich with a large sum of money in his possession. They succeeded in waylaying and robbing him, but certain circumstances connected with this exploit filled Mr. Maclaine with more than usual apprehension, and he judged it advisable to prescribe change of air both for himself and his companion.

Accordingly, having previously divided their booty, early in the year 1749 they set out—Mr. Maclaine to visit his brother at the Hague, and Mr. Plunkett to confer a similar favour upon his own and his friend's relatives in Ireland. The chaplain, who had hitherto been accustomed only to his brother's claims upon his charity, expressed some surprise at his altered circumstances, but James explained that he had received a fortune with his late wife, and, in addition, her father had been good enough to leave him a considerable legacy. Mr. James Maclaine made himself extremely popular among the good people of the Hague by the lavish manner in which he entertained them, and if watches and other trifles were missed by his guests, it was only by the light of later information that they were able to date the disappearance of their property from their acceptance of his hospitality.

Mr. Maclaine appears to have left England before his friend, for after his departure a letter arrived for him from his sister, Anne Jane—"a very sensible and affectionate one," writes Mr. Plunkett, "but nothing in it that you may not hear soon enough at our meeting." For a time all went well with Mr. Plunkett; he spent several days, much to his satisfaction, in Chester and Liverpool, "these being places of spirit where they have assemblies," &c. In Ireland, possibly because there was nothing much to steal, he did not fare so well, and his letters to "Dear Jemmy" are, except in one particular, anything but reassuring. He had the misfortune to fall from his horse and dislocate his shoulder—an injury, which, aggravated by a tumble in getting over a stile, "very much obstructed his happiness"; the said horse went blind, he was unable to dispose of the watches he carried with him, he ran into debt, and altogether, as he expressed it with more force than elegance, he was "fretting his guts to fiddlestrings." He begged his friend to desist from an amour in which he was engaged, which could but result in the loss of time and money on his part and of reputation on the part of the lady, and to give his serious attention to the establishment of their fortunes by means of a wealthy marriage.

This brings one to the only bright spot in Mr. Plunkett's correspondence. Before leaving England he had "espyed a doe of £40,000 enclosed in a park:" true, she was "in some small measure despicable in person," and there was "a stern old fellow at the gate," but he thought "if a gentleman of figure and fortune were accidentally to meet her at church and would promise to bring her to her beloved London, he might have a chance of the prize." In the meantime he was anxiously awaiting a remittance which would enable him to rejoin his friend in England. Mr. Maclaine, either wearied of the Hague or trusting to the fame of his last exploit in this country having blown over, had already returned, and having met with some success at the gaming-tables, was able to supply his confederate with the necessary funds, and they were once more united and at liberty to start upon their matrimonial enterprise.

Having provided themselves with two horses and an appropriate wardrobe, they set out, Mr. Maclaine in quality of a peer—of his own creation—and his companion as his servant. They halted at an inn in the next village to that in which resided "the deer that they should strike." The father of the lady whom Mr. Maclaine intended to honour with his attentions happened to be lord of the manor, and the peer, having borrowed a gun, requested of him permission to shoot, and laid the spoils of the chase, in the shape of two woodcocks, at his feet. He also sought opportunity to make his acquaintance by a diligent attendance at the parish church, and one Sunday ventured to address him, but the "stern old fellow" was true to Mr. Plunkett's description of him, and received his advances in anything but a conciliatory mood. Meanwhile Mr. Plunkett on his side had not been idle; he had gradually contrived to worm himself into the confidence of the old gentleman's butler and the maids of the house, and from one of the latter he learned to his dismay that the father had discovered Mr. Maclaine's business in that neighbourhood and that he was no lord; he had even gone so far as to call him a sharpening scoundrel and to threaten him with the stocks. This intelligence determined Mr. Maclaine to raise the siege, and so, after three

months thus wasted, the confederates returned to London to resume their old occupation.

In the beginning of November, 1749, Mr. Maclaine performed his most famous exploit. In company with Mr. Plunkett he stopped and robbed Horace Walpole in Hyde Park, at about ten o'clock, as he was returning from Holland House. Upon this occasion he discharged the only shot which he is recorded to have fired during the whole of his career as a Gentleman Highwayman; his pistol, owing no doubt to the agitation occasioned by his conscience, went off by accident, the ball passed through the top of the coach, and Walpole's face was scorched by the explosion. Mr. Maclaine afterwards protested that if his unlucky shot had taken effect nothing would have prevented him from using his remaining pistol upon himself—a declaration which moved Walpole to ask if, in a certain contingency, he could well do less than promise to be hanged. Upon his return to his lodgings the ingenuous Mr. Maclaine wrote two letters to his victim, apologising for having been compelled by disappointment in a matrimonial scheme to resort to this method of raising supplies, and offering him a chance of redeeming any trifles which he might happen to particularly value. To this end he appointed a meeting at Tyburn at twelve o'clock at night; Mr. Plunkett attended on behalf of the confederates, but Walpole, satisfied probably with one escape, failed to put in his appearance.

Details of the exploits of these gentlemen during the early months of 1750 are lacking, but one may safely assume that they were not idle. The end, however, was at hand. Upon the 26th of June they set out upon the road to Brentford, and between that place and Staines they stopped the Salisbury coach. Mr. Maclaine, though he was the instigator of this particular expedition, lagged behind as usual until the eloquent voice of his conscience was drowned by the reproofs of Mr. Plunkett. Once on the spot, and convinced that there was no chance of meeting with any resistance, he was loud in his threats as to what would most certainly befall the passengers if they presumed to conceal any of their property. There were

five gentlemen and a lady travelling by the coach, whom the confederates obliged to dismount and deliver up all that they had, and then, having with the assistance of the driver, put up before them on their horses two cloak-bags which were contained in the boot, they allowed their victims to continue their journey. On the same morning they encountered and stopped Lord Eglinton in the neighbourhood of Hounslow. Mr. Maclaine stood in front of the horses, taking care to shelter himself behind the post-boy, while Mr. Plunkett, thrusting a pistol through the glass at the back of the chaise, threatened to blow his lordship's brains through his face if he did not immediately throw to the ground a double-barrelled blunderbuss with which he was armed. Lord Eglinton thought it prudent to comply, and was robbed of his portmanteau and forty guineas.

Among the passengers by the Salisbury coach was one Mr. Josiah Higden, who immediately took steps to advertise his loss and describe his property in the public papers. Now either Mr. Maclaine had no time to read the papers, or he was destined to be a more than ordinarily striking example of the truth of the saying, "*Quem Deus vult perdere, prius dementat*," for on the 19th of July he went to the shop of a Mr. Loader in Monmouth Street, and leaving his address with him requested him to call and negotiate for the purchase of some wearing apparel.

Mr. Loader came and took away with him certain articles which Mr. Maclaine offered for sale, but when he reached home he was struck by the similarity which the gold lace he had just bought, bore to some which he had himself sold to Mr. Josiah Higden. His suspicions moved him to send for that gentleman; he came, and there followed a warrant for the apprehension of Mr. Maclaine. On the 27th of July the constable succeeded in finding Mr. Maclaine at home: he was taken before Mr. Lediard at his house in New Palace Yard, and by him committed to the Gatehouse. The contents of Mr. Maclaine's lodgings were eloquent of his profession and character. The officers discovered there clothes and other

property, afterwards identified as belonging to Mr. Higden and his fellow-passengers by the Salisbury coach, and to Lord Eglinton, the latter's redoubtable double-barrelled blunderbuss, twenty-three purses of various descriptions, besides pistols and a great many rich suits which were allowed to be a part of Mr. Maclaine's own stock-in-trade—the whole in charge of a lady who appears to have been better known than respected.

All London rang with talk of Mr. Maclaine, his exploits and his handsome person, and Mr. Lediard's house presented the appearance of a theatre upon the occasion of the examination of the Gentleman Highwayman before him.

Arranged upon a table were the various articles that had been found at Mr. Maclaine's lodgings, and the Earl of Chesterfield, Lord Mountford, Lord Duncannon, and many other "persons of distinction," including a number of ladies, watched the proceedings with breathless interest. The behaviour of the Gentleman Highwayman upon this occasion, however edifying as an exhibition of the working of a remorseful conscience, was scarcely consistent with the self-restraint which is expected in a gentleman, or even that honour which is supposed to obtain among thieves. He whined and wept, offered to betray his friend Mr. Plunkett to save his own life, and when his offer was refused made a full confession (which he later on attempted to disclaim) not only of the crime with which he was charged, but of all the other robberies in which he had been engaged. At the end of his examination he was committed to take his trial at the Old Bailey, and was again removed to the Gatehouse in charge of a sergeant's guard, for so great was his popularity it was feared there might be some attempt at a rescue. The ladies who had accompanied him with their tears during the hearing conveyed to him more substantial proof of their sympathy in the shape of a purse of gold, and up to the time of his trial he was daily visited by a crowd of persons of fashion who contributed liberally to his support. Prominent among his comforters were Lady Caroline Petersham, afterwards Countess of Harrington, and Miss Ashe. Whether these ladies had any belief in his innocence, or

were of opinion that the fact that he was a highwayman was an additional attraction in his personality, it is impossible to say, but they earned for themselves the names of "Polly" and "Lucy" from Horace Walpole, who asked Lady Caroline if their *protégé* did not sing with Captain Macheath:—

"Thus I stand like the Turk, with his doxies around."

This question led to the publication of a print (one of many in which Mr. Maclaine was the principal figure) in which the ladies were represented supporting the "lovely thief" on either side. Lord Mountford too, with half the members of White's, prompted no doubt by curiosity as to one who had so lately been their neighbour, visited Mr. Maclaine in the Gatehouse. He was removed from this place of confinement to Newgate on the 7th of September, and on the 13th at twelve o'clock he was put upon his trial. He had the assistance of counsel, but his defence, such as it was, was read by himself. Mr. Loader proved the sale of the clothes, which Mr. Higden identified as his property, though he was unable to swear to the persons who had robbed him. Mr. Maclaine's account of the manner in which he became possessed of the said clothes was ingenious. It all arose from the generous manner in which he had behaved to one Mr. Plunkett, to whom, while he was engaged in the "grocery way," he had advanced sums amounting in all to £100. Pressed to discharge his obligation, Mr. Plunkett, who had induced him "to believe that he had travelled abroad, and was possessed of clothes and other things suitable thereto," prevailed upon him to accept payment partly in goods and partly in money. Among the goods were included these very clothes which Mr. Maclaine confessed that he did sell, "very unfortunately, as it now appears, little thinking they were come by in the manner Mr. Higden hath been pleased to express." The contracting of this debt and the manner of payment being matters of a private nature, it was hardly to be expected that he should be able to produce witnesses to the truth of his story. Unfortunately there remained his rash confession, and Mr. Maclaine's manner of dealing

with this was hardly likely to appeal to the most sympathetic of juries, though in concluding his address he claimed to have accounted for it. It was very true, he said, that when he was first apprehended the "surprise confounded him, and gave him a most extraordinary shock: it caused a delirium and confusion in his brain which rendered him incapable of being himself, or knowing what he said or did: he talked of robberies as another man would do in talking of stories; but after his friends had visited him in the Gatehouse, and had given him some new spirits, and when he came to be re-examined before Justice Lediard, and was asked if he could make any discovery of the robbery, he then alleged that he had recovered his surprise, that what he had talked of before concerning robberies was false and wrong, and was entirely owing to a confused head and brain." Nine gentlemen—one "— Barlowe, Esq." is the only person named—were called to speak to the good character of the prisoner, but in spite of their evidence the jury found him guilty without leaving the box, and by half-past one it was all over. From this point the interest in Mr. MacLaine rather increased. On the Sunday following his conviction three thousand people are said to have visited him in Newgate, and he twice fainted owing to the heat of his cell. On the 20th of September he was brought up, with the other prisoners convicted at the sessions, to receive sentence; he came provided with an appeal for mercy, which had been written for him by one of his friends, but after repeating the first few words of it, he stopped—there was a profound silence for three or four minutes, broken at last by the cry, "My Lord, I can go no further!" and Mr. MacLaine received sentence of death.

"But soon his rhetorick forsook him,
When he the solemn hall had seen,
A sudden fit of ague shook him,
He stood as mute as poor Macleane."

So writes Gray in his "Long Story," but though the Gentleman Highwayman could say so little for himself, petitions in his favour were started on all sides. One was forwarded to the

King, who was then in Hanover, and was by him referred to the Lords of the Regency, and another was presented to the Duke of Bedford. Archibald Maclaine, who had written more than one letter expressive of his deep concern at his brother's disgrace, was reported to have arrived in London to intercede on his behalf; this does not appear to have been the fact, though no doubt he exercised, according to his promise, such influence as he possessed to preserve his life. But the Government was determined not to encourage Gentlemen Highwaymen, and the following extract from *The General Advertiser*, of September 24, 1750, is a very good indication of the attitude of the Press: "We hear that great interest is making for all the 16 malefactors condemned the last sessions at the Old Bailey. For some, because they are young, and for others because they are old: for some because they have good Friends, and for others because they are friendless: for some because they are handsome, and the Objects of liking, and for others because they are so ugly that they are the objects of compassion: for some because they have kept good company and are well known, and for others because they were never heard of before. At the same time we are informed that the robberies committed within a week last past in and about this Town do at the highest computation amount to scarce 200."

With the remainder of Mr. Maclaine's career it is somewhat difficult to deal. Professing himself a Presbyterian, he sent the day after his conviction for Dr. Allen, a minister of that persuasion, who attended him up to the night before his execution. Dr. Allen published the usual edifying account of the condemned man's behaviour, and seems to have been impressed with the sincerity of his repentance, so perhaps it is hardly for us at this date to cast any doubts upon it. His love of pleasure and of a gay appearance, Mr. Maclaine said, had undone him. He lamented that he had not been brought up to some employment which would have made industry necessary, instead of writing and accounts which as a genteeler business was chosen for him. "I have often thought," he continued, "when in my necessity and innocence that had I had a mechanic

Trade in my hands that would have employed my *whole time*, altho' I could have earned by it but ten shillings a week, I had been an happy man." These and similar reflections he delivered in such a manner as to induce Dr. Allen to testify that "he was really a man of good natural sense, and had an handsome elocution." Early on the morning of the fatal day, Wednesday, October 3rd, Mr. Maclaine wrote his last letter to the friend to whom he had entrusted the carrying out of his wishes with respect to the few trifling articles that remained to him. Two books, an inkhorn, and a seal he desired should be carried with his blessing to his good old landlady in Chelsea; a Bible, a leaf having been first torn out, was to be given to some member of Dr. Allen's family, and his sleeve-buttons to "poor N.B., with my last blessing to her"; his shoe-buckles his mother-in-law had begged for his child—he thought it unnecessary, but was willing to indulge her in it. He desired that a letter should be written to his sister, and that his "Life" should be done as soon as possible "in a modest, penitent manner," and that his child should share in the profits of it, if there were any. Then, with a prayer that his friend would take all necessary precautions to prevent his body from becoming a prey to the surgeons, Mr. Maclaine concluded his letter "within eleven hours of eternity."

It was expected that he would be allowed, in consideration of his quality, to take his last journey in a coach, but the authorities, as if to disappoint this very expectation, at the end of September issued an order that for the future criminals should not be allowed to go in coaches to Tyburn. Accordingly Mr. Maclaine made one in a party of three who occupied the last cart in the melancholy procession from Newgate, his immediate companions being William Smith (also the son of an Irish clergyman) convicted of forgery, and one Sanders, who had stolen a metal watch. Twelve criminals in all suffered upon this occasion, which was also signalised by the reappearance of Mr. John Thrift, the hangman, who, owing to his having unofficially put an end to the existence of one of his Majesty's subjects, had for some time past been living in seclusion. A

greater concourse of people had never been seen at Tyburn, but if they came expecting any startling demonstration on the part of Mr. Maclaine they must have been disappointed, for he only spoke to pardon the constable who had arrested him, and to utter a prayer for the forgiveness of his enemies, of whom he was himself the chief, if not the only one. His body, having been first taken to the house of one Harrison, an undertaker in Clare Market, is said to have been buried at Uxbridge. Thus, in the twenty-sixth year of his age, died Mr. James Maclaine, who without, as far as one can see, a single quality which could appeal even to the most perverted imagination, has exceeded in interest all malefactors of his class. The Ordinary of Newgate who attended him at the place of execution puts the finishing touch to the task of stripping him of any attraction he might be supposed to possess. He was, says the Ordinary, "in person of the middle size, well-limbed, and a sandy complexion, a broad open countenance pitted with the small-pox, but though he was called the Gentleman Highwayman, and in his dress and equipage very much affected the fine gentleman, yet to a man acquainted with good breeding that can distinguish it from prudence and affectation there was very little in his address or behaviour that could entitle him to that character."

X

THE PROCESSION TO TYBURN had its protocol and its heroes. Tom Clinch was not one of them, except as a sort of type or composite. Charles Harper connects him with another Tom—Tom Cox—of whom, with a pretty wit, he writes in *Half-Hours with the Highwaymen*.

“Resenting his meagre fortune under that old fetish of the English landowner, the law of primogeniture, [he] came to London for the purpose of adding to it in what was then the conventional manner. His career was ended, too, by the authorities with an equally slavish regard to precedent, for when convicted at the Old Bailey of highway robbery, he was sentenced to be hanged; and if, as a matter of fact, his actual ending at Tyburn was marked by an incident of striking originality, it was his own pluck and resource that provided the piquant sensation created, and nothing officially contributed.

“He had been heedless in the extreme while in prison of the ministrations of the Ordinary, and, being well provided with money, lived his last days riotously. Even when beneath the gallows at Tyburn he remained unmoved, and when the Ordinary asked if he would not join with his fellow-sufferers in prayer, he swore and kicked both him and the hangman out of the cart. He was but twenty-six years of age when he died.”

Doubtless many such scenes were in the mind of Jonathan Swift when he composed his vivid and compassionate poem.

Clever Tom Clinch Going to be Hanged

BY JONATHAN SWIFT

AS clever Tom Clinch, while the rabble was bawling,
Rode stately through Holborn to die in his calling,
He stopt at the George for a bottle of sack,
And promis'd to pay for it when he came back.
His waistcoat, and stockings, and breeches, were white;
His cap had a new cherry riband to tye't.
The maids to the doors and the balconies ran,
And said, "Lack a-day! he's a proper young man!"
But, as from the windows the ladies he spi'd,
Like a beau in the box, he bow'd low on each side;
And when his last speech the loud hawkers did cry,
He swore from his cart, "It was all a damn'd lye!"
The hangman for pardon fell down on his knee;
Tom gave him a kick in the guts for his fee:
Then said, I must speak to the people a little;
But I'll see you all damn'd before I will whittle
My honest friend Wild (may he long hold his place)
He lengthen'd my life with a whole year of grace.
Take courage, dear comrades, and be not afraid,
Nor slip this occasion to follow your trade;
My conscience is clear, and my spirits are calm,
And thus I go off without prayer-book or psalm;
Then follow the practice of clever Tom Clinch,
Who hung like a hero, and never will flinch.

Xi

AN UNINTENTIONAL POISONER—or was she?—was Miss Mary Blandy. Poisoner or no, she was a very remarkable woman. Too remarkable, Roughead thinks in his edition of her trial, not to have known what she was doing. No account of her is so vivid or so moving as her own, which may be seen at large in contemporary pamphlets, and is incorporated in part in the following account from *The New Newgate Calendar* (1773).

Account of Miss MARY BLANDY, who was executed at *Oxford*, for the *Murder* of her *Father*; with some Particulars respecting CAPTAIN CRANSTOUN.

MARY BLANDY was the only daughter of Mr. Francis Blandy, an eminent attorney at Henley upon Thames, and town-clerk of that place. She had been educated with the utmost tenderness, and every possible care was taken to impress her mind with sentiments of virtue and religion. Her person had nothing in it remarkably engaging; but she was of a sprightly and affable disposition, polite in manners, and engaging in conversation; and was uncommonly distinguished by her good sense.

She had read the best authors in the English language, and had a memory remarkably retentive of the knowledge she had acquired. In a word, she excelled most of her sex in those accomplishments which are calculated to grace and dignify the female mind.

The father being reputed to be rich, a number of young gentlemen courted his acquaintance, with a view to make an interest with his daughter: but of all the visitors none were more agreeable, both to father and daughter, than the gentlemen of the army; and the former was never better pleased than when he had some of them at his table.

Miss Blandy was about twenty-six years of age, when she became acquainted with captain William Henry Cranstoun, who was then about forty-six. He was the son of lord Cranstoun, of an ancient Scotch family, which had made great alliances, by intermarriages with the nobility of Scotland. Being a younger brother, his uncle lord Mark Ker procured him a commission in the army, which, with the interest of £. 1500 was all he had for his support.

Cranstoun married a Miss Murray in Scotland in the year

1745, and received a handsome fortune with her: but he was defective in the great article of prudence. His wife was delivered of a son within a year after the marriage; and about this period he received orders to join his regiment in England, and was sent on a recruiting party to Henley, which gave rise to the unhappy connexion which ended so fatally.

It may seem extraordinary, and is, perhaps, a proof of Cranstoun's art, that he could ingratiate himself into the affections of Miss Blandy; for his person was diminutive: he was so marked with the small-pox, that his face was in seams, and he squinted very much: but he possessed that faculty of small talk, which is but too prevalent with many of the fair sex.

Mr. Blandy, who was acquainted with lord Mark Ker, was fond of being deemed a man of taste, and so open to flattery, that it is not to be wondered at that a man of Cranstoun's artifice ingratiated himself into his favour, and obtained permission to pay his addresses to the daughter.

Cranstoun, apprehending that Miss Blandy might discover that he had a wife in Scotland, informed her that he was involved in a disagreeable law-suit in that country, with a young lady who claimed him as a husband; and so sure was he of the interest he had obtained in Miss Blandy's affections, that he had the confidence to ask her if she loved him well enough to wait the issue of the affair. She told him, that if her father and mother approved of her staying for him, she had no objection.

This must be allowed to have been a very extraordinary declaration of love, and as extraordinary a reply.

Cranstoun endeavoured to conduct the amour with all possible secrecy; notwithstanding which, it came to the knowledge of lord Mark Ker, who wrote to Mr. Blandy, informing him that the captain had a wife and children in Scotland, and conjuring him to preserve his daughter from ruin.

Alarmed by this intelligence, Mr. Blandy informed his daughter of it; but she did not seem equally effected, as

Cranstoun's former declaration had prepared her to expect some such news; and when the old gentleman taxed Cranstoun with it, he declared it was only an affair of gallantry, of which he should have no difficulty to free himself.

Mrs. Blandy appears to have been under as great a degree of infatuation as her daughter; for she forbore all farther enquiry, on the captain's bare assurance that the report of his marriage was false. Cranstoun, however, could not be equally easy. He saw the necessity of devising some scheme to get his first marriage annulled, or of bidding adieu to all the gratifications he could promise himself by a second.

After revolving various schemes in his mind, he at length wrote to his wife, requesting her to disown him for a husband. The substance of this letter was, that, "having no other way of rising to preferment but in the army, he had but little ground to expect advancement here, while it was known he was incumbered with a wife and family; but could he once pass for a single man, he had not the least doubt of being quickly preferred: which would procure him a sufficiency to maintain her, as well as himself, in a genteeler manner than now he was able to do. All therefore (adds he) I have to request of you, is, that you will transcribe the inclosed copy of a letter, wherein you disown me for a husband; put your maiden name to it, and send it by the post: all the use I shall make of it will be to procure my advancement, which will necessarily include your own benefit. In full assurance that you will comply with my request, I remain

"Your most affectionate Husband,
W. H. CRANSTOUN."

Mrs. Cranstoun, ill as she had been treated by her husband, and little hope as she had of more generous usage, was, after repeated letters had passed, induced to give up her claim, and at length sent him the requested paper, signed Murray, which was her maiden name.

The villainous captain, being possessed of this letter, made some copies of it, which he sent to his wife's relations, and his

own: the consequence of which was that they withdrew the assistance that they had afforded the lady, which reduced her to an extremity she had never before known.

Exclusive of this, he instituted a suit before the lords of session, for the dissolution of the marriage; but when Mrs. Cranstoun was heard, and the letters read, the artful contrivance was seen through, the marriage was confirmed, and Cranstoun was adjudged to pay the expences of the trial.

At the next sessions captain Cranstoun preferred a petition, desiring to be heard by council, on new evidence which it was pretended had arisen respecting Miss Murray. This petition, after some hesitation, was heard; but the issue was, that the marriage was again confirmed, and Cranstoun was obliged to allow his wife a separate maintenance.

Still, however, he paid his addresses to Miss Blandy with the same fervency as before; which coming to the knowledge of Mrs. Cranstoun, she sent her the decree of the court of session, establishing the validity of the marriage.

It is reasonable to suppose, that this would have convinced Miss Blandy of the erroneous path in which she was treading. On this occasion she consulted her mother; and Cranstoun having set out for Scotland, the old lady advised her to write to him, to know the truth of the affair.

Absurd as this advice was, she wrote to him; but, soon after the receipt of her letter, he returned to Henley, when he had impudence enough to assert that the cause was not finally determined, but would be referred to the house of Lords.

Mr. Blandy gave very little credit to this assertion; but his wife assented at once to all he said, and treated him with as much tenderness as if he had been her own child; of which the following circumstance will afford ample proof.

Mrs. Blandy and her daughter being on a visit to Mrs. Pocock of Turville-court, the old lady was taken so ill as to be obliged to continue there for some days. In the height of her disorder, which was a violent fever, she cried, "Let Cranstoun be sent for." He was then with the regiment at Southampton; but, her request being complied with, she no sooner saw him,

than she raised herself on the pillow, and hung round his neck, repeatedly exclaiming, "My dear Cranstoun, I am glad you are come; I shall now grow well soon." So extravagant was her fondness, that she insisted on having him as her nurse; and he actually administered her medicines.

On the following day she grew better; on which she said, "This I owe to you, my dear Cranstoun; your coming has given me new health and fresh spirits. I was fearful I should die, and you not here to comfort that poor girl. How like death she looks!"

It would be ungenerous to the memory of Mrs. Blandy to suppose that she saw Cranstoun's guilt in its true light of enormity; but certainly she was a most egregious dupe to his artifices.

Mrs. Blandy and her daughter having come to London, the former wanted £. 40 to discharge a debt she had contracted unknown to her husband; and Cranstoun coming into the room while the mother and the daughter were weeping over their distress, he demanded the reason of their grief; of which being informed, he left them, and soon returning with the requisite sum, he threw it into the old lady's lap. Charmed by this apparent generosity, she burst into tears, and squeezed his hand fervently: on which he embraced her, and said, "Remember, it is a son; therefore do not make yourself uneasy: you do not lay under any obligation to me."

Of this debt of forty pounds, ten pounds had been contracted by the ladies while in London, for expenses in consequence of their pleasures; and the other thirty by expensive treats given to Cranstoun at Henley, during Mr. Blandy's absence.

Soon after this Mrs. Blandy died; and Cranstoun now complaining of his fear of being arrested for the forty pounds, the young lady borrowed that sum, which she gave him; and made him a present of her watch; so that he was a gainer by his former apparent generosity.

Mr. Blandy began now to shew evident dislike of captain Cranstoun's visits: but he found means to take leave of the

daughter, to whom he complained of the father's ill treatment; but insinuated that he had a method of conciliating his esteem; and that when he arrived in Scotland he would send her some powders proper for the purpose; on which, to prevent suspicion, he would write "Powders to clean the Scotch pebbles."

It does not appear that the young lady had any idea that the powders he was to send her were of a poisonous nature. She seems rather to have been infatuated by her love; and this is the only excuse that can be made for her subsequent conduct, which appears otherwise totally inconsistent with that good sense for which she was celebrated.

Cranstoun sent her the powders, according to promise; and Mr. Blandy being indisposed on the Sunday se'nnight before his death, Susan Gunnell, a maid servant, made him some water-guel, into which Miss Blandy conveyed some of the powder, and gave it to her father, and repeating this draught on the following day, he was tormented with the most violent pains in his bowels.

When the old gentleman's disorder increased, and he was attended by a physician, his daughter came into his room, and falling on her knees to her father, said, "Banish me where you please; do with me what you please, so you do but forgive me; and as for Cranstoun, I will never see him, speak to him, or write to him, as long as I live, if you will but forgive me."

In reply to this, the father said, "I forgive thee, my dear, and I hope God will forgive; but thou shouldst have considered before thou attemptedst any thing against thy father: thou shouldst have considered I was thy *own* father."

Miss Blandy now acknowledged that she had put powder in his gruel, but that it was for an innocent purpose: on which the father, turning in his bed, said, "O such a villain! to come to my house, eat of the best, and drink of the best my house could afford; and in return take away my life, and ruin my daughter. O! my dear, thou must hate that man."

The young lady replied, "Sir, every word you say is like a sword piercing to my heart; more severe than if you were angry: I must kneel, and beg you will not curse me." The

father said, "I curse thee, my dear! how couldst thou think I would curse thee? No, I bless thee, and hope God will bless thee, and amend thy life. Do, my dear, go out of the room; say no more, lest thou shouldst say any thing to thy own prejudice. Go to thy uncle Stephens; and take him for thy friend: poor man! I am sorry for him."

Mr. Blandy dying in consequence of his illness, it was suspected that his daughter had occasioned his death; whereupon she was taken into custody, and committed to the gaol at Oxford.

She was tried on the 3d of March, 1752, before Mr. Baron Legge; and after many witnesses had been called to give evidence of her guilt, she was desired to make her defense, which she did in the following speech:

"My Lord,

It is morally impossible for me to lay down the hardships I have received—I have been aspersed in my character. In the first place, it has been said I spoke ill of my father; that I have cursed him, and wished him at hell; which is extremely false. Sometimes little family affairs have happened, and he did not speak to me so kind as I could wish. I own I am passionate, my lord; and in those passions some hasty expressions might have dropped: but great care has been taken to recollect every word I have spoken at different times, and to apply them to such particular purposes as my enemies knew would do me the greatest injury. These are hardships, my lord, such as yourself must allow to be so. It was said too, my lord, that I endeavoured to make my escape. Your lordship will judge from the difficulties I laboured under: I had lost my father;—I was accused of being his murderer;—I was not permitted to go near him;—I was forsaken by my friends—affronted by the mob—and insulted by my servants.—Although I begged to have the liberty to listen at the door where he died, I was not allowed it. My keys were taken from me; my shoe-buckles and garters too—to prevent me from making away with myself, as though I was the most abandoned creature. What

could I do, my lord? I verily believe I must have been out of my senses. When I heard my father was dead, I ran out of the house, and over the bridge, and had nothing on but an half sack and petticoats, without a hoop—my petticoats hanging about me;—the mob gathered about me. Was this a condition, my lord, to make my escape in? A good woman beyond the bridge, seeing me in this distress, desired me to walk in, till the mob was dispersed: the town serjeant was there; I begged he would take me under his protection, to have me home: the woman said it was not proper, the mob was very great, and that I had better stay a little. When I came home, they said I used the constable ill. I was locked up for fifteen hours, with only an old servant of the family to attend me. I was not allowed a maid for the common decencies of my sex. I was sent to gaol, and was in hopes there at least this usage would have ended; but was told, it was reported I was frequently drunk; that I attempted to make my escape; that I did not attend at chapel. A more abstemious woman, my lord, I believe, does not live.

“Upon the report of my making my escape, the gentleman who was high sheriff last year (not the present) came and told me, by order of the higher powers, he must put an iron on me. I submitted, as I always do, to the higher powers. Some time after he came again, and said he must put an heavier upon me; which I have worn, my lord, till I came hither. I asked the sheriff, why I was so ironed? He said, he did it by the command of some noble peer, on his hearing that I intended making my escape. I told them I never had any such thought, and I would bear it with the other cruel usage I had received on my character. The Reverend Mr. Swinton, the worthy clergyman who attended me in prison, can testify I was regular at the chapel, whenever I was well; sometimes I really was not able to come out, and then he attended me in my room. They have likewise published papers and depositions, which ought not to have been published, in order to represent me as the most abandoned of my sex, and to prejudice the world against me. I submit myself to your lordships, and to the worthy jury.—I

do assure your lordship, as I am to answer it at the great tribunal, where I must appear, I am as innocent as the child unborn of the death of my father. I would not endeavour to save my life, at the expense of truth. I really thought the powder an innocent, inoffensive thing; and I gave it to procure his love (meaning towards Cranstoun). It has been mentioned, I should say I was ruined. My lord, when a young woman loses her character, is not that her ruin? Why then should this expression be construed in so wide a sense? Is it not ruining my character to have such a thing laid to my charge? And, whatever may be the event of this trial, I am ruined most effectually."

The trial lasted eleven hours, and then the judge summed up the evidence, mentioning the scandalous behaviour of some people respecting the prisoner, in printing and publishing what they called depositions taken before the coroner, relating to the affair before them: to which he added, "I hope you have not seen them; but if you have, I must tell you, as you are men of sense and probity, that you must divest yourselves of every prejudice that can arise from thence, and attend merely to the evidence that has been now given."

The judge then summed up the evidence with the utmost candour; and the jury, having considered the affair, found her guilty without going out of court.

After conviction, she behaved with the utmost decency and resignation. She was attended by the Reverend Mr. Swinton, from whose hands she received the sacrament on the day before her execution, declaring that she did not know there was any thing hurtful in the powders she had given her father.

The night before her death she spent in devotion; and at nine in the morning she left her apartment, being dressed in a black bombazine, and having her arms bound with black ribbons.

The clergyman attended her to the place of execution, to which she walked with the utmost solemnity of deportment; and, when there, acknowledged her fault in administering the

powders to her father, but declared that, as she must soon appear before the most awful tribunal, she had no idea of doing injury, nor any suspicions that the powders were of a poisonous nature.

Having ascended some steps of the ladder, she said, "Gentlemen, don't hang me high, for the sake of decency." Being desired to go something higher, she turned about, and expressed her apprehensions that she should fall. The rope being put round her neck, she pulled her handkerchief over her face, and was turned off on holding out a book of devotions which she had been reading.

The crowd of spectators assembled on this occasion was immense; and, when she had hung the usual time, she was cut down, and the body being put into a hearse, was conveyed to Henley, and interred with her parents, at one o'clock on the following morning.

She was executed at Oxford, on the 6th of April, 1752.

It will be now proper to return to Cranstoun, who was the original contriver of this horrid murder. Having heard of Miss Blandy's commitment to Oxford gaol, he concealed himself some time in Scotland, and then escaped to Bologne in France. Meeting there with Mrs. Ross, who was distantly related to his family, he acquainted her with his situation, and begged her protection: on which she advised him to change his name for her maiden name of Dunbar.

Some officers in the French service, who were related to his wife, hearing of his concealment, vowed revenge if they should meet with him, for his cruelty to the unhappy woman: on which he fled to Paris, whence he went to Furnes, a town in Flanders, where Mrs. Ross had provided a lodging for his reception.

He had not been long at Furnes, when he was seized with a severe fit of illness, which brought him to a degree of reflection to which he had been long a stranger. At length, he sent for a father belonging to an adjacent convent, and received absolution from his hands, on declaring himself a convert to the Romish faith.

Cranstoun died on the 30th of November 1752, and the fraternity of monks and friars looked on his conversion as an object of such importance, that solemn mass was sung on the occasion, and the body was followed to the grave, not only by the Ecclesiastics, but by the magistrates of the town.

His papers were then sent to Scotland, to his brother, lord Cranstoun: his cloaths were sold for the discharge of his debts; and his wife came into possession of the interest of the fifteen hundred pounds above mentioned.

This case is one of the most extraordinary that we shall have occasion to record in these volumes. The character and conduct of Cranstoun are infamous beyond all description. A married man seeking a young lady in marriage, deluding her by the vilest artifices, and the most atrocious falsehoods; and then murdering her father to obtain the object of his wishes, exhibits an accumulated picture of guilt to which no language can do justice. His sufferings afterwards appear to have been a providential punishment of his crimes. We are to hope that his penitence was sincere. . . .

With regard to Miss Blandy, the public have ever been divided in opinion on her case. Those who have presumed on her innocence, have tacitly acknowledged that she was very weak, which contradicts the accounts we have of her genius and mental acquirements. On the contrary, those who have insisted on her guilt, have made no allowances for the weakness of the female mind; nor considered the influence of an artful man over the heart of a girl in love.

Her solemn declaration of her innocence would almost tempt one to think that she *was* innocent; for it is next to impossible to suppose that a woman of her sense and education would depart this life with a wilful lye in her mouth.

Be all this as it may, an obvious lesson is to be learnt from her fate.—Young ladies should be cautious of listening to the insidious address of artful love, as they know not how soon, and how unsuspectedly, their hearts may be engaged to their own destruction, founded on the violation of all their nobler duties.

xii

ELIZABETH CANNING DISAPPEARED on New Year's Day, 1753. The world hasn't stopped talking about it yet. Nobody believed her tale; every fancier of crime from that day to this has tried to piece together the true story from her wild romancing about kidnappers and gipsies and bawds, and the fascinating if often irrelevant evidence of the raffish crew that surrounded her.

Edmund Pearson, Great Cham of American crime-writing, never wrote about eighteenth-century villainy but once. He could not resist Bet Canning. Here is his ironic and percipient account of her as it appeared in *More Studies in Murder*.

The First Great Disappearer

BY EDMUND PEARSON

"Yes, 'twas Elizabeth—
Yes, 'twas their girl;
Pale was her cheek, and her
Hair out of curl.
'Mother!' the loving one,
Blushing, exclaimed,
'Let not your innocent
Lizzy be blamed. . . .'"

THE sentence of the Court is that you, Mary Squires, be hanged by the neck until you are dead. And that you, Susannah Wells, as a common thief, be branded on the hand, with the letter T."

The officers of the Court thereupon seized them both, and the sheriff's men being ready with their irons, the sentence of branding was then and there carried out on Susannah Wells. And the mob, watching this torture, howled with delight.

There was to be a short delay before hanging Mary Squires. Her crime was that she had stolen "one pair of stays, value ten shillings" from a girl named Elizabeth Canning. The offense of Susannah Wells was that she had allowed the Squires woman to remain in her house—that is, she had harbored and protected a thief.

All of this for the rather fantastic offense of stealing a girl's corsets.

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Luckily for Mary Squires there was a wise and humane man in the office of Lord Mayor of London. I think that, even in those cruel days—the year was 1753—men of this type were more often to be found than some people would have us think. The Lord Mayor was not satisfied with the trial of the two women. He was too late to save Susannah Wells from branding with the red-hot iron, but he might save Mary Squires from the gallows.

He began to investigate Elizabeth Canning, upon whose testimony the two older women had been convicted.

She was a red-cheeked girl of eighteen. For about a year she was probably the most famous person in the world. Everybody talked about her and her strange mystery. They did more than talk. They quarreled and fought in the streets. To her friends and admirers she was a lovely heroine—good, pure and courageous. And to the others, she was a minx who had tried to cover up her scandalous escapades with lies, and thus caused one innocent woman to be punished cruelly, and another almost to be hanged.

Her friends eventually came to be called Canningites. The people on the other side were known as Egyptians. And when Canningites met Egyptians, there was apt to be a free fight. The Lord Mayor, for offending the Canningites, was nearly dragged out of his coach and lynched.

In America, today, there are probably hundreds of people who are direct descendants of Elizabeth Canning. They seem never to have heard of her. After the days of her fame were over, she was sent to America, where she married and had a number of children. Their mother's maiden name was soon forgotten, and it is through these children of a different name from Canning, that her descendants can prove their relationship to a girl who once was the center of great excitement; who interested everyone in England from the King down.

For many years, lawyers, writers, and people who love to solve mysteries, have studied the puzzle which surrounds four weeks in the life of Elizabeth Canning. Even those who disbelieve her story do not know what she was up to during

those weeks. More people have wondered about it than have ever tried to answer the riddle of the disappearance of Judge Crater or Charley Ross.

Elizabeth's story was the first famous one of its kind. All of us have heard, and we still hear, of girls who unexpectedly vanish from home for a few days or a few weeks. The girl is usually seized by two men (sometimes they wear masks) and hustled into a "big, gray motor-car." She is taken away and kept in a cellar or an attic, and is often abused or starved.

There is no talk of ransom in these yarns, and the cause for the abduction is rather mysterious, although the girl often hints that these wicked men were trying—unsuccessfully, of course—to induce her to stray from the paths of virtue.

The truth of these tales, as we frequently conclude, is that the girl has been on a wild party, and that she did not have to be dragged into the car. Or, perhaps, there had been a wild party, some time before, and she has been absent to hide the embarrassing result.

Elizabeth Canning, and her three or four young brothers and sisters, were the children of a widow. At eighteen, Elizabeth was a small girl, only five feet in height. As the oldest daughter of a poor woman she had been working since she was sixteen. On New Year's Day, 1753, she was in employment as a house servant with a family named Lyon. They lived in the same part of London—Aldermanbury—as Elizabeth's mother; probably only a few streets away.

No one, neither her neighbors, her former employers, or her present ones, the Lyons, had anything to say about her character and conduct except what was good. She was quiet, modest and well-behaved; the most obscure little maid in London, and except for the strange events of this New Year's Day, destined to a life of obscurity.

January first was a holiday for her, and the way she planned to spend it suggests that she was not accustomed to wild parties, and that she had no very attentive lovers or suitors. She went to see her uncle and aunt, Mr. and Mrs. Colley, who lived still farther toward the east end of London.

They lived, in fact, in Whitechapel, the region made famous, many years later, by the crimes of Jack the Ripper. In Elizabeth Canning's time, it was a more open region, with some lonely roads and lanes.

When she left Mr Lyons' house, she had with her some money, her "Christmas box": wages and tips which had been given her. There was one gold piece, some silver, and a few coppers. At her own home, she gave each of her young brothers and sisters a penny. One of her little brothers had been saucy to her, and she gave him nothing, although later she repented of this, and bought him a small mince pie. This she carried with her all day—expecting to give it to him when she returned at night.

She was dressed in her holiday clothes when she set out on foot for her uncle's house. She wore a purple gown, and a white chip hat, with green ribbons. The day at the Colleys' seems to have been spent mostly in sociable family feasting. There was a cold dinner, some time in the afternoon, and a hot supper in the evening. Elizabeth probably helped her aunt with these meals, and gossiped with her as they worked together. Once or twice they looked in at Mr. Colley's workshop, to watch him at his occupation. It was an interesting one, since he was a glass-blower.

At nine o'clock, she started home, and the Colleys walked part of the way with her. They went far enough, as they thought, to see that she was perfectly safe: her mother's house was not a mile distant. Still, there are places in that part of London now, which are rather deserted at night, and in Elizabeth's time the streets were dark.

When her uncle and aunt said good-night, her way was along Houndsditch, toward the place where now stands the Liverpool Street Station. She set out in this direction—and vanished into a black cloud of mystery.

What actually happened to her; who met her, whether he was a stranger or an acquaintance of hers; where he took her, or whether she willingly went with him; whether there was one man or more; whether the meeting was by chance, or

whether she was keeping a date—we do not know. After endless probing and investigating, and after one hundred and eighty years, we can only guess at the puzzle.

Somebody, afterwards, remembered that on that night he heard a woman scream, "in a hackney coach" (the "big gray motor-car!") in a street near the place where her relatives had left her. Perhaps he did, and perhaps it was Elizabeth Canning. On the other hand, perhaps his memory was faulty; he may have heard the scream from the hackney coach on some other night.

At any event, the girl was missing, and her family were soon hunting for her. As early as nine o'clock that evening, Mr. Lyon was inquiring at her mother's house. It seemed that Elizabeth was not supposed to have stayed as late as she did. The Colleys had given her a cold dinner of "left-overs," and to make up for this, had urged her to stay for supper, which was a hot meal of roast beef.

Mrs. Canning, of course, was in misery at the disappearance of her daughter. With friends and neighbors she kept up the hunt; some one went back to the Colleys', and routed them out at midnight. In the following days, the hospitals and jails were searched, and advertisements were put in the newspapers. The disappearance of a respectable girl was a rare, if not an unknown event, and it caused great excitement. There were then no regular police in London, and, of course, no detective service at Scotland Yard or elsewhere.

Elizabeth Canning had walked into one end of a dark street, and left utterly no trace. Nothing but the doubtful story of the scream from the hackney coach.

Exactly four weeks later, at ten o'clock at night, Mrs. Canning was busy in her house, getting the children to bed. The door opened, and a woman came in. She was bent nearly double, and seemed to be clad in old rags. It was a number of minutes before they recognized Elizabeth.

Her face was dirty and bruised; her ear bleeding from a cut. All of her holiday dress was gone; the purple gown, the neat neckerchief, and the white hat with green ribbons.

She had on an old shirt and a petticoat; over these a dirty dressing-gown. In place of a hat, her head was bound up with a piece of old handkerchief, bloodstained from the wound on her ear.

Mrs. Canning thought this might be her daughter's ghost, come from the grave. Either with that idea, or because of the girl's shocking appearance, her mother went into a fit. Neighbors and friends came in, and the kitchen was soon filled with excited, curious, indignant and sympathetic folk—not one of them able to deal with the situation.

What the girl needed first was some food. She said:

"I'm almost starved to death. I've lived on bread and water since New Year's Day, and since last Friday I've not even had any bread."

Then she should have had a nurse's attentions: be cleaned up and put to bed. Most of all, she should have been kept away from all this crowd of well-meaning but ignorant gossips, who crowded around her with their jabber of conversation:

"Why you poor darling! Who has treated you this way?"

"Well, I never! Such villains as there are in this world!"

"Who abused you this way, Lizzie, darling? They ought to be hanged for it! Tell us their names, and we'll have them in jail in no time."

Some responsible person, in the presence of one or two witnesses, ought to have questioned her a little that night, and again in the morning. Then, they might have found out what really had happened to her.

But everything was confusion, indignation and disorder, and the result is that we do not know exactly what Elizabeth Canning's first story was. We have it in disjointed versions from various recollections. We know that she told a story, two or three times afterwards, and under oath, and that it differed each time, and became harder and harder to believe.

On that first night, as far as can be discovered, while her little brothers and sisters gathered round her and stared,

and while the neighbors cursed in their rage, or cried out in sympathy, Elizabeth sat near the fire in her mother's kitchen, and in a weak and faltering voice, said something like this:

"On New Year's Night, after uncle and aunt left me, I went on through Houndsditch, and over Moorfields, past Bethlehem Hospital. Here, two big, strong men, both in great-coats, caught up with me, seized me, and took away my money—the half guinea, and my silver shillings. Then they tore off my dress, my apron and hat, and one of them stuffed my clothes in his great-coat pocket.

"When they tore off my clothes, I screamed, and they gagged me and tied my hands behind my back. Then one of the men said:

" 'Damn you, you —, we'll do for you, by and by!'

"He hit me with his fist on the forehead, as he said this, and I lost my senses and knew nothing more. It was six hours, as I think, before I came to myself again, and knew what was going on."

All her listeners groaned, and begged the poor girl to go on, and tell them just what these dreadful men did next.

"When I came to," Elizabeth continued, "they were dragging me along a road—a wide road—out of the city somewhere. There was water by the side of the road. One of the men said:

" 'You —, why don't you walk faster?' "

The blank probably stands for the word "bitch."

"And about half an hour later, we came to a house, and they pushed me into the kitchen, where there were three women. They seized hold of me, and asked me if I would go their way. They said I should have fine clothes, if I would."

Elizabeth did not have to ask them what they meant by "go their way"; she seems to have known at once that it was the way of the sinful.

"I said 'No, I would not,' and so one of the women took a knife and I thought she was going to kill me. But she cut the laces off my stays with the knife, and took them off, and

then they all struck me, and called me bad names and pushed me up some stairs into a hayloft. It was all dark, but there was a little bread there, and an old pitcher of water. They locked me in and left me there.

"I stayed there four weeks. I lived on the mince pie I bought for my brother, and on the bread and water. They never came near me again; never brought me any more to eat; and I never saw any of them again. Once, some one came, I think, and looked through a chink in the wall at me. Once, I tried the door, but it was locked.

"At last, this afternoon, about four o'clock, I pulled away a board that was in front of a window, and got out through the hole. I slid down over a penthouse, to the ground below. I found this old dressing-gown and handkerchief lying in the room, and I put them on before I jumped out the window. I caught my ear on a nail at the window as I jumped out, and that is why it is cut, and why all this blood is on the handkerchief.

"Then I walked along the road, and found my way back to my mother's."

There is no doubt that the girl was "all in." She was worn out—according to her account she had walked eleven miles that day—and she was—according to her story—half starved before she started. The mince pie which had helped sustain her was not a big, generous sort of thing, but a little penny or ha'penny affair—what is sometimes called a tart—a gift for a little boy, which he could easily eat on top of his dinner, and then look around for something more. Yet on this, and three or four pieces of bread, she had lived for a month.

Now the people who heard this story were so full of pity for the wretched girl, and so moved by fury toward the folk who had imprisoned her, that no one seems to have thought for an instant that it was a queer tale. To speak now of only two of its odd features, it is unusual for a person to walk for six hours after being knocked unconscious. And, since no one bothered Elizabeth during her captivity, it was strange that she did not escape sooner.

On the night of her return, nobody considered these things. They crowded round, and wept over her; and lamented these wicked "modern times," when such villainy was abroad. They got a medical man to tend her ailments; and they congratulated Mrs. Canning that her daughter would endure suffering, rather than throw in her lot with the wicked.

Where had she been? And who were these fiendish women, who robbed her of her corsets and tried to rob her of her honor?

Either that night or very soon, Elizabeth said that she thought she had been on the Hertford Road, because she had looked out through a crack in the boards and recognized the driver of the Hertford Coach driving his coach by the house. Since she had walked back over the same road, part of the way by daylight, one might think that she would have been a little surer of what road it was. But Elizabeth was not at all clear about things, and the neighbors said:

"Poor lamb! How could she take notice of anything?"

But as soon as she mentioned the Hertford Road, there came an exclamation from a young man named Robert Scarratt, who had begun to take the greatest interest in the case. Said he:

"I'll bet a guinea to a farthing that you were at Mother Wells's!"

This was a disreputable house at Enfield, on the Hertford Road. Up to that time, it is fairly certain that no one, neither Elizabeth nor anyone else, had mentioned the name of Wells. But as soon as she heard it, she said she believed that she *had* heard the name Wells or Wills mentioned, while she was there.

In spite of Elizabeth's weakness and sufferings, she was able, next day but one, to go before an Alderman and ask for a warrant of arrest for "Mother" Wells. The Alderman questioned her closely, and so vague and unsatisfactory was her story that he hesitated to issue the warrant. He advised her to be careful.

"Be sure of what you say," he warned, "say nothing but what you can swear to."

But she was surrounded by her friends and family, who were determined that she should have "justice." So she persisted, and the warrant was issued. The Alderman, aside, remarked that he did not believe her story.

Either at this hearing, or at another, the dressing-gown was produced as a piece of evidence. Elizabeth claimed it, *as her mother's*, and tried to take it with her. She was reminded that she found it in her place of captivity. She blushed, stammered, and said no more.

Next day a cavalcade set out for Enfield. There were Elizabeth and her mother, with two more women, in a chaise; officers of the law, on foot and horseback; some of Elizabeth's more influential friends in a coach—altogether, a posse. They were out to "get" some one.

They arrived at "Mother" Wells's house a few at a time. The men in the coach and the mounted officers got there long before the rest, and their first examination of the place made some of them very uneasy. As one of the officers said:

"We have got into the wrong box!"

There was a hayloft, as in all such houses, but it was no such room as Elizabeth had described. There was no way of locking the door; the shape of the room was not as she said; the contents of the room were different; to see the coaches on the road you did not have to peer through a crack, as you could look at them through a window; while the other window had not been boarded up.

The officers found a strange collection of people in the house: a grotesque lot of mortals, some of them oddly named. All were destined to become notorious throughout England.

There was the keeper of the place, Susannah Wells, herself. There was an old gypsy woman, Mary Squires, who was sitting bent over the fire, smoking a pipe, her body swathed in a big cloak, and her head covered by an immense black bonnet. Her son and daughter, George and Lucy Squires,

were also there. So was a man named Natus, with his wife. The parents of this man had conceived the notion of naming him Fortune, so it was as Fortune Natus that he was soon being discussed at every coffee house in London. In addition to these, there was a girl with the exquisitely inappropriate name of Virtue Hall.

Elizabeth Canning was asked to identify those who had robbed and imprisoned her. She was brought into the room where they were all gathered. Passing by Mrs. Wells, without noticing her, she pointed to the pipe-smoker by the fire, and said:

"That old woman in the corner was the woman who robbed me."

At this, the old gypsy rose, threw back her cloak and bonnet, and disclosed the most frightful and extraordinary features any one had ever imagined. It was a face to make children run away, screaming. Mary Squires was very old, her figure tall and stooping. Her face was fearfully marked by scrofula; her nose very large.

"Such a nose as hers," someone said, "was never before on mortal countenance."

But all these things were nothing compared with her prodigious under-lip—it was said to be "as big almost as a little child's arm."

This creature confronted Elizabeth Canning. She well knew the danger in which she stood. Robbery was a hanging offense, and people always believed the worst of gypsies.

"Me rob you!" she cried. "I never saw you in my life before. For God Almighty's sake do not swear my life away! Pray, madam, look at this face; if you have once seen it before, you must have remembered it, for God, I think, never made such another. Pray, madam, when do you say I robbed you?"

Of course we cannot be sure how correctly this is reported, but if the gypsy spoke in this fashion, most of us will be inclined to think that her appeal sounds unmistakably like truth.

To her question as to the date of the robbery, Elizabeth Canning answered that it was New Year's Day.

The gypsy replied: "I was a hundred and twenty miles from this place then."

George Squires, her son, said they were all at Abbotsbury on January 1st. Fortune Natus and his wife, Judith, said that they had been sleeping nightly in the hayloft for the past ten or twelve weeks. Elizabeth persisted in her accusations and pointed out Virtue Hall and Lucy Squires as the two women who were present when she was robbed. Virtue Hall laughed in her face, and said:

"God forgive you, madam! I never saw you in this house in my life."

Now, people accused of crime usually deny it; and they can often deny with apparent sincerity, and much calling upon the sacred name of God. But there is one thing which is unaccountable in Elizabeth's identification of the old gypsy. It was impossible for anyone to see this woman and not be profoundly affected by her terrible face. Yet Elizabeth Canning had not mentioned it. She merely said there were three women in the room, and that one of them cut off her stays!

Doubts arose in the minds of a number of men who were there. And from this time, the people of England began to be divided in two camps: Canningites, the believers in Elizabeth; and Egyptians, who thought that Mary Squires told the truth. This term was used because gypsies were called Egyptians.

At first, however, the Canningites carried everything before them. They started with the idea that Elizabeth was a persecuted saint. Being a saint, she could tell nothing but the truth. If she had said nothing about a number of things in the room where she had been confined; if she had not mentioned, for instance, a lot of hay that was there, it was because her mind was confused, poor dear. If she said, at first, that there were only four or five pieces of bread in the room, and if, later these became twenty-four pieces—to make the

story of her survival rather more reasonable—why, nobody noticed it.

So the gypsies, and everyone else in that old house, were dragged off to jail. Within a few days, Elizabeth came before Henry Fielding, the novelist, who was a Justice of the Peace. He became one of the most energetic Canningites, and a firm believer in her innocence and sufferings. This is explained on the ground that he was a most tender-hearted man, quickly responsive to any story of cruelty to a helpless woman. In our time, Fielding's great successor, Thomas Hardy, was similarly disposed.

The trial of the two old women for theft, as we have seen, resulted in their conviction. Public opinion—which sometimes means the cries of the mob—was dead against them. Hardly anyone dared speak in favor of the gypsy. And to make their fate more certain, Virtue Hall, who was frightened for her own life, went back on her first statement; turned King's evidence; and testified that Elizabeth's story of what happened in the house was true. Later, Virtue changed her story again, and went back to her original statement.

Mary Squires, the gypsy, tried to prove an alibi; that she was in Dorsetshire, more than a hundred miles away, on January 1st. But the jury did not believe the few witnesses she was able to bring, and the death sentence was pronounced.

Except for the efforts of the Lord Mayor, Sir Crispe Gascoyne, the gypsy would have swung at Tyburn Tree. He saw through the holes in Elizabeth's story and he found no reason to doubt Squires' alibi. His petition to the King resulted, first in a postponement of the hanging, and finally in a full pardon.

The Canningites boiled with rage. Not to hang the gypsy was an insult to the virtuous maid to whose cause they were subscribing money. It amounted to a suggestion that, while Elizabeth may have fallen among thieves during the latter part of her absence, she was telling a string of lies as to the

events of most of the month. And, especially, that she was never at Mrs. Wells's house in Enfield at all!

For the next year, Elizabeth Canning and the gypsy were merely pawns in a game; the figures around whom raged a bitter fight. Interest in her case spread to Europe, and Voltaire wrote about it. As the young bloods in the London clubs drank toasts to "Bet" Canning, and raised money for her defense, so the other side, the Egyptians, collected money, and hired investigators to look into the truth of the tale of the gypsy's wanderings.

Late in the Spring of the following year, fifteen months after the night when Elizabeth had been set upon by the two big, bad men, who stole her dress but spared her mince pie, she was arrested and put on trial for perjury.

In the history of English criminal law, it was one of the strangest of trials. It lasted for seven days—a thing almost unknown at the time. The crowd of spectators filled the room and the air was stifling. The old gypsy, who had probably been kept in jail all this time, as a material witness, was brought in, seated in a chair, sick and faint. She swooned two or three times, and had to be carried out and revived. Elizabeth, now the prisoner, looked well and trim; her manner was modest and dignified.

Before the Court paraded an almost endless procession of witnesses. To prove Elizabeth a perjurer, it was necessary to show an alibi for the gypsy; and thirty-six witnesses, from various parts of the country, swore to Squires' presence in different country villages in the south of England. Inn-keepers, tinkers, barmaids, fiddlers, and all the odd folk of rural life in the eighteenth century, traced the slow progress of the gypsy family from Dorset to Enfield. According to this, they did not arrive at Enfield until the middle of January.

The jury heard a great number of stories about country dances, where the schoolmaster got "fuddled"; about people sleeping in hedgerows and barns; and about the love affair of Lucy Squires—who, in spite of her hideous mother, seems

to have been a pretty girl, around whom the young men swarmed, contesting for her kisses at Christmas parties.

Then, to give the jury as hard a problem as possible, Elizabeth's lawyers produced twenty-six witnesses who swore that the Gypsy was at Mrs. Wells' on New Year's Day.

The lawyer prosecuting Elizabeth showed that under her window, in the loft where she said she was imprisoned, was a pond, where farmers watered their horses, and where, when it was frozen, boys came to slide and skate. Yet it never occurred to the poor prisoner to shout to them for help!

In the end, after some hesitation and doubt, the jury found Elizabeth Canning guilty of perjury. And the judges, also after some disagreement among themselves, sentenced her to transportation for seven years to "His Majesty's plantations in America."

The controversy has divided literary men: Henry Fielding, as we have seen, was a Canningite. So was Andrew Lang. But Austin Dobson and Arthur Machen are Egyptians. The legal writers, I think, are strongly Egyptian.

If her story of her abduction and imprisonment was not true what did happen to her? I think that the most reasonable suggestion is that she was carried away by some one, perhaps by force. Perhaps no great amount of force was necessary. That she went away to have a baby, or "to get free of disorders common to the gay and young" is supported by no evidence. Indeed, what evidence there is contradicts these suggestions.

Having been carried away, it would not be surprising if, for two or three weeks, she led a life which she did not care to tell about. At the end of this time she may have fallen out with the people with whom she was living, or have been deserted, robbed and betrayed by them. It is unlikely that she was suffering and starving *all* the time for four weeks, although she did have a bad time for a few days. Her accusations against "Mother" Wells and the gypsy were put into her mouth by her overactive friends, and she found her-

self tangled in a net of perjury before she could back out.

Young Robert Scarratt was thought to have had more knowledge of her adventures than he admitted. And Mrs. Canning, perhaps unjustly, has been suspected of being in the plot—whatever it was.

Aside from the reasons for disbelieving her which have already been mentioned, there are still further improbabilities in her tale. Why should she be carried away by the men who robbed her? Even if she were taken to "Mother" Wells', and if she refused to "go their way," why did they keep her there? Her presence was dangerous to them. How did she know how to ration herself for a four weeks' imprisonment in the hayloft?

Moreover, she said that when she escaped from the window she let herself down by a penthouse. But there was no penthouse. How was she able to live so long on so little food? How did her feeble condition permit her to walk so far on her way home? Why did she not ask for food, water, and help on those eleven weary miles on a winter's night?

No, I fear that Elizabeth did not come back to her mother from so distant a place as Enfield; but that she was one of those pretty little liars, who are so often found among girls between the ages of twelve and twenty. Many a man has gone to prison, or even swung in a noose, because of the tales told by girls like Elizabeth Canning.

Elizabeth Canning in America

The writers who have discussed Elizabeth are chiefly English, and, after her conviction and sentence, they dismiss her, with little further information.

Wethersfield, Connecticut, where she lived and died, has forgotten her. A friend of mine who lives there, and is interested in local history, tells me that he had never even heard of her. Wethersfield's attitude may be indifference, or high-minded distaste for a malefactor, but it is clear that her

memory has been allowed to perish, and her burial place is probably unknown.

This is not strange. Genealogists and local historians are morbidly reticent about immigrants who came to America under a cloud. Genealogists devote themselves to tickling family pride; while local historians are, first of all, local patriots. Most of our biographical dictionaries (with the honorable exception of the Dictionary of American Biography) were compiled as dictionaries of worthies; the editor excluding from his pages all those whom he would not care to entertain at dinner.

Nevertheless, by taking a hurried glance at a few of the more obvious sources of information (the Annual Register, 1761; *Gentleman's Magazine*, Aug., 1773; Dictionary of National Biography; *Law Quarterly Review*, Oct., 1897; Padget: "Paradoxes and Puzzles"; Henry R. Stiles: "History of Ancient Wethersfield"; *The Connecticut Courant*, June 15, 1773; John Harvey Treat: "The Treat Family"; New England Historical and Genealogical Register) I have salvaged some trifling bits of news about the lovely perjurer.

Her sentence was for seven years; if she returned inside that time, death, "without benefit of clergy." (That does not mean that you may not have a minister to pray with you.) There is a rumor that she was again in England, in 1761, long enough to receive a legacy of £300. This seems unlikely, and has been denied.

The Government did not hurry her departure, nor treat her with great severity. She sailed, not in a convict ship, but in a ship selected by herself (probably the *Myrtilla*) from Deal, in August, 1754. The port of landing was Philadelphia, and on board the ship were Colonel the Reverend Elisha Williams and lady. They befriended Elizabeth, took her with them to Wethersfield, Connecticut (where many years later, by the hand of the hangman, perished Gerald Chapman, the gentleman bandit) and they gave her a home and, probably, employment.

On November 24, 1756, she helped establish a home of her own, by marrying John Treat. He is sometimes described as a Quaker; but American writers call him a "scatter-brain young fellow of good family." His great-uncle was Governor Robert Treat, so Elizabeth became a member of an honored family, whose name is still distinguished. Between them the young married pair had £1500 (the bride's portion must have come from her reverend benefactor) but this was soon dissipated and their home was sold. John Treat served the State in the Indian campaign of 1757-58.

John and Elizabeth did not live in much prosperity but she is said to have been respected by her neighbors. They had three sons and a daughter. Her eldest son, Joseph Canning Treat, was a soldier in the American Revolution. On growing up, he dropped the Canning from his name, and I do not discover that any member of the family has ever again picked it up. Although London once echoed to the name of Canning, and it was cheered in the clubs, the Treat family have turned upon it their chilliest shoulders.

In June, 1773, when she was aged but thirty-eight or thirty-nine, Elizabeth Canning Treat died at Wethersfield. Even then, twenty years after her mysterious New Year's adventure, her death was of sufficient interest to be recorded in the London news-sheets and magazines. And almost twenty years after her death, a Member of Congress from South Carolina, visiting Wethersfield, had her house and one of her sons pointed out to him as objects of interest.

Only one other American relic of Elizabeth has come to my knowledge. It is fiction; a pamphlet called *Virtue Triumphant, or, Elizabeth Canning in America* (Boston, 1757). In it she is hailed as "true English-hearted Elizabeth, like the glorious queen after whom she was called. . . ."

In this tale, Miss Canning meets, at some unidentified place in America, a family named Wakefield. Again she is subjected to persecution, for although Mrs. Wakefield is kind to her, and listens to her story, Mr. Wakefield not only gives her "a smacking kiss" but attempts other familiarities, which

naturally arouse her opposition. The eighteenth-century pamphleteer, like the twentieth-century writer for the tabloids, had to have his little leer.

The story continues by taking the heroine for a trip to Quebec. Then Mrs. Wakefield dies, and Elizabeth's pilgrimage is happily ended by her marriage to the lecherous Mr. Wakefield.

At the time of this publication, Elizabeth was already Mrs. John Treat, but the Boston pamphleteer, in the manner of all writers of third-rate fiction, doubtless believed that his standing as a "creative artist" would suffer unless he played hob with the facts.

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THE BEST ROUGHEAD CRIME STORY would be a storm centre of debate. William Roughead is the dean of crime writers, and every one of his adherents will have his favorite. "Katharine Nairn"? "The Wolves of the West Port"? "The Ghost of Sergeant Davies"?

To save controversy, I will not commit myself. I will only say that I have chosen to include "The Ghost of Sergeant Davies" for its picture of the Highlands after the '45, with the lads who have taken to the heather, the jury that will not convict, the Highland innocent in the sheiling at Glenclunie whose Sassenach spectre speaks as good Gaelic as ever he heard in Lochaber. It first appeared in Roughead's *Twelve Scots Trials*.

The Ghost of Sergeant Davies

BY WILLIAM ROUGHEAD

"You must not tell us what the soldier or any other man said, Sir; it's not evidence."—BARDELL *v.* PICKWICK.

FEW judicial utterances are better known or more widely quoted than this immortal dictum of Mr. Justice Stareleigh. Yet there was precedent against his Lordship's ruling, for in the year 1754 the High Court of Justiciary had admitted as evidence what was said by "the soldier's" ghost! and so lately as 1831 the testimony of a voice from the other world was accepted in the Assynt murder case by the same tribunal. But English practice was no stricter, and although only two instances of spectral evidence occur in the State Trials, the research of Mr. Andrew Lang has disclosed similar cases. Both of the Scots spirits spoke in Gaelic, which would seem to be an appropriate medium of communication but for the fact that the soldier, an Englishman, while in the flesh had no knowledge of that tongue.

The case first mentioned arose out of the slaying of Sergeant Davies, and the trial of his murderers was privately printed for the Bannatyne Club at the instance of Sir Walter Scott. The time was some three years after the doleful day of Drum Mossie, the place a solitary hillside at the head of Glenclunie, in the heart of the Grampians. "A more waste tract of mountain and bog, rocks and ravines, extending from Dubrach to Glenshee, without habitations of any kind until

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you reach Glenclunie, is scarce to be met with in Scotland," writes Sir Walter; "a more fit locality, therefore, for a deed of murder could hardly be pointed out, nor one which could tend more to agitate superstitious feelings."

The swell following the great gale of the Forty-five had not subsided in the remoter Highlands; and bands of disaffected and broken men still lurked in security among the grim defiles and rugged fastnesses of that formidable land. The disarming of the Highlanders was a farce, as Prestongrange admitted to David Balfour. To stamp out the smouldering embers of the Rising, and to enforce the Disarming Act and that which proscribed the national dress, the Government still maintained garrisons throughout the suspected districts. From these stations small pickets were sent out to occupy various posts, whence they communicated with one another, and constantly patrolled the country.

In the month of September, 1749, Sergeant Arthur Davies, with a party of eight men of the regiment of foot commanded by Lieutenant-General Guise, were quartered at Dubrach, a small upland farm near the clachan of Inverey in Braemar. They had marched thither in the previous June from their headquarters at Aberdeen. Another party of the same regiment, under the command of a corporal, guarded the Spittal of Glenshee, some eight miles off. In the course of patrolling the district, these two parties were wont to meet twice a week at a spot midway between their respective stations. During the three or four months in which Sergeant Davies had occupied the hostile territory, he seems to have discharged his onerous duties with tact and moderation, and though officially unpopular, had managed to obtain the goodwill of his subject neighbours. The private tastes and character of the man were likeable: he was of a genial disposition, a keen and indefatigable sportsman, fearless, thrifty, and particular in his dress. For one in his position his circumstances were prosperous. He had been married for about a year to the widow of a former comrade, and his wife shared the responsibilities of his post. Beyond Dubrach and farther up Strathdee there was at that

time no cultivated land, and it was the sergeant's daily custom, combining business and pleasure, to wander by himself with rod or gun among the hills, glens, and streams of those inhospitable and lonely wilds. Though often warned of the risk to which such habits exposed him at the hands of lawless and desperate men, many of whom were then "in the heather," the sergeant laughed at danger, and continued to "gang his ain gait."

His figure was a notable one in so poor a neighbourhood. His ordinary dress was "a blue surtout coat, with a striped silk vest, teiken breeches, and brown stockings." He carried a green silk purse containing his little capital, fifteen and a half guineas in gold, and a leather purse with silver for current expenses. The existence of this green silk purse was a matter of common knowledge, for it was his kindly way, when playing with the children of the clachan, "to rattle it for their diversion." He wore two gold rings, one plain, engraved on the inside with the letters D. H. and the motto, "When this you see, Remember me." This "posie" had reference to the late David Holland, sometime paymaster of the regiment, and the sergeant's predecessor in the lawful affections of his spouse. It would appear that he had no sentiment in such matters, for his brogues were enriched with a pair of large silver shoe-buckles formerly the property, and also bearing the initials, of the defunct. The other ring, which plays a part in the story, was of curious design, and had "a little lump of gold" in the form of a heart raised upon the bezel. The sergeant, further, wore silver buckles at his knees, a silver watch and seal at his fob, two dozen silver buttons on his waistcoat, and carried in his pocket a penknife of singular form. His "dark mouse-coloured hair" was tied behind with a black silk ribbon, and his silver-laced hat, with a silver button, had his own initials, misplaced, cut on the outside of the crown. A gun with a peculiar barrel, given to him by a brother officer, completed his usual equipment.

Thus accoutred and adorned Sergeant Davies, very early on the morning of Thursday, 28th September 1749, bade farewell

to his wife at the house of Michael Farquharson, where they lodged, and set forth in advance of his men to meet the patrol from Glenshee. Four of his party followed him soon after. This arrangement was not unusual, and on the return journey he would often "send the men home and follow his sport." An hour after sunrise he was seen and spoken to in Glenclunie by one John Growar, whom he had occasion to reprimand for wearing a coat of tartan, in contravention of the Act. With characteristic good-nature, Davies "dismissed him, instead of making him prisoner." The four soldiers from Dubrach duly met the corporal's guard from Glenshee; on their way they had a distant glimpse of the sergeant still pursuing his sport, and heard him fire a shot. They marched home in the afternoon without seeing anything further of him. After the patrols had separated, the Glenshee party encountered the sergeant at the Water of Benow, half a mile from the rendezvous. Davies informed the corporal "that he was going to the hill to get a shot at the deer." The corporal thought it "very unreasonable in him" to venture on the hill alone, as he himself was nervous even when accompanied by his men. To which the sergeant answered "that when he had his arms and ammunition about him, he did not fear any body he could meet." Whereupon they parted company; and from that hour Sergeant Davies vanished from among living men, and his place knew him no more.

Next day the news spread throughout the district that the sergeant had disappeared. The captain of the garrison at Braemar Castle sent a party of men on the Sunday to Dubrach, and on the Monday the whole countryside was raised to search for the missing man. After four days of fruitless labour, the search was finally abandoned; no trace of the sergeant could be found. From the first his wife was certain that he had met with foul play. As she afterwards said, "It was generally known by all the neighbourhood that the sergeant was worth money and carried it about with him." She scouted the rumour that he had deserted, "for that he and she lived together in as great amity and love as any couple could do that ever was married, and that he never was in use to stay away a night from

her; and that it was not possible he could be under any temptation to desert, as he was much esteemed and beloved by all his officers, and had good reason to believe he would have been promoted to the rank of sergeant-major upon the first vacancy." Her view came to be the accepted one, and the opinion of the country was that the sergeant had been robbed and murdered, and his corpse concealed amid the desolate high places of the hills.

In June 1750, nine months after the disappearance, Donald Farquharson, the son of Michael, with whom Davies had lodged when on earth, received a message from one Alexander M'Pherson "that he wanted much to speak to him." M'Pherson was then at his master's sheiling (shepherd's hut) in Glenclunie, some two miles distant from Dubrach. A few days afterwards Farquharson went to see him as requested, "when M'Pherson told him that he was greatly troubled with an apparition, the ghost of the deceased Sergeant Davies, who insisted that he should bury his bones; and that he having declined to bury them, the ghost insisted that he should apply to Donald Farquharson, saying that he was sure he would help to bury his bones." The spirit's confidence was misplaced, for Donald at first declined the office, and "could not believe that M'Pherson had seen such an apparition." But on the ghost-seer stating that, guided by his visitant's description, he had actually found the bones in question, and offering to take him to the spot, Donald reluctantly agreed to accompany him; "which," as he naively says, "he did the rather that he thought it might possibly be true, and if it was, he did not know but the apparition might trouble himself."

M'Pherson led him to the Hill of Christie, between Glenchristie and Glenclunie, two or three miles from Dubrach, and about half a mile from the road taken by the patrols between that place and Glenshee. The body, which lay on the surface of the ground in a peat moss, was practically reduced to a skeleton. The bones were separated and "scattered asunder," but the "mouse-coloured" hair of the unhappy sergeant, still tied with the black silk ribbon, was intact. Frag-

ments of blue cloth, some pieces of striped stuff and a pair of brogues from which the tags for the buckles had been cut, left little doubt as to the identity of the remains.

M'Pherson told his companion that when he first found the bones, eight days before, they lay farther off under a bank, and "he drew them out with his staff." Donald inquired, "If the apparition had given any orders about carrying his bones to a churchyard?" and learning that the spirit had indicated no preference for any specific resting-place, he agreed to bury the bones on the spot. They accordingly dug a hole in the moss with a spade brought by M'Pherson, and buried therein all that they had found.

Now, though M'Pherson does not appear to have told Farquharson at this time, he afterwards swore that the ghost, being pressed by him to disclose who had slain the sergeant, did, on the occasion of its second appearance, actually name the murderers. To this we shall return later.

Between the discovery of the bones and the communication to Donald Farquharson, M'Pherson had informed John Growar (the man to whom the sergeant had spoken about the tartan coat) both of his spectral visitor and of what he had found. "John bid him tell nothing of it, otherwise he would complain of him to John Shaw of Daldownie." To anticipate this, M'Pherson himself reported the circumstance to Daldownie, who "desired him to conceal the matter, and go and bury the body privately, as it would not be carried to a kirk unkent [unknown], and that the same might hurt the country, being under the suspicion of being a rebel country." Later, M'Pherson showed Growar where he had found the bones. It was not far from the place at which John had met the sergeant on the day of his death.

Notwithstanding the desire for secrecy expressed by all the parties, someone let out the finding of the body, with the result that local interest was directed to the Hill of Christie. James Growar, a relative of John, presently found there the sergeant's gun, and a girl named Isobel Ego picked up a silver-laced hat with a silver button on it, afterwards identified as his. Isobel,

who had been sent by her master to the hills to look for some horses, remarked on her return, "That she had come home richer than she went out," and produced her find. Her mistress "had no peace of mind, believing it to be Sergeant Davies's hat, and desired it might be put out of her sight;" so the farmer hid the hat under a stone by the burnside, near his house, and knew no more of it. Some time after, however, "the bairns of Inverey," playing about the burnside, lighted upon the hat and took it to the village. It then passed successively through the hands of Donald Downie, the miller of Inverey, and of James Small, factor on the forfeited estate of Strowan, into the custody of John Cook, barrack-master at Braemar Castle, who four years later produced it at the trial. We shall hear of the Strowan factor again.

The barrack-master afterwards said that within ten days of the sergeant's disappearance "it was reported that he had been murdered by two young men about Inverey." By the following summer not only was the story of the ghostly visitant and the resulting discovery of the bones well known throughout the neighbourhood, but "it was clattered" that the spectre had denounced by name as the murderers two persons then living in the district. These were Duncan Terig, *alias* Clerk, and Alexander Bain Macdonald. Both were men of questionable character and reputed thieves. Clerk lived with his father in Inverey without visible means of livelihood, and Macdonald, who was forester to Lord Braco (the first Earl Fife), resided in Allanquoch. Apart from their supernatural impeachment, many material facts confirmatory of their guilt accumulated against them in the public mind, but four years elapsed before they were brought to trial. It does not appear from the official record how the tardy sword of justice came to be drawn so long after the event, for not until September 1753 were Clerk and Macdonald apprehended on the charge and committed to the Castle of Braemar. The Lord Advocate stated in Court that the prisoners "were at last accused by the general voice of the country," and that the cause of delay in bringing them to trial was that "at first the proof against them did not appear

so pregnant." But certain events after the trial throw some light, as we shall see, on how the charge was made.

On 23rd January 1754 the prisoners, being judicially examined before Lords Strichen and Drummore, two of the Lords Commissioners of Justiciary, each gave different and contradictory accounts of their movements upon the day of the murder. Clerk declared that he, in company with Macdonald, was upon the Hill of Gleney the day Sergeant Davies disappeared; that both were armed with guns; that Macdonald fired one shot at some deer; and that at ten o'clock that morning he parted from Macdonald on the hill and returned to his father's house, to which Macdonald came the same evening, and where he stayed all night. Macdonald declared that he spent the night at his own house in Allanquoich, and did not see Clerk after they parted on the hill about nine or ten o'clock. For the rest, his declaration concurred with Clerk's.

The trial began before the High Court of Justiciary at Edinburgh on 10th June 1754, the judges being Lord Justice-Clerk Alva, who presided, and Lords Strichen, Drummore, Elchies, and Kilkerran. The two last named had assisted Argyll, the Justice-General, at the judicial murder of James of the Glens two years before, as immortalised by Stevenson. The Lord Advocate, William Grant of Prestongrange, so vividly portrayed in *Catriona*, Patrick Haldane and Alexander Home, "His Majesties Solicitors," and Robert Dundas, conducted the prosecution. The prisoners were represented by Alexander Lockhart (who ten years later in that Court heroically defended Katharine Nairn) and Robert M'Intosh, the friend of Scott.

In the debate upon the relevancy, which, as was then usual, occupied the first day of the proceedings, it was argued for the pannels that they were persons of good fame, and had no malice against the sergeant; that they had a true and warrantable cause for being on the hill under arms; and that they did so openly and avowedly. It was further objected that though arrested for the murder as already described, and having almost "run their letters" without being served with an indictment,

they were again committed for theft, and the time nearly expiring in that case also, they were detained on a third warrant for wearing the Highland Dress, and last of all, "upon the malicious information of some private informer," were served with this indictment. They offered to prove that after they had left the hill, the sergeant was seen alive with his party, but in support of this allegation no shadow of evidence was afterwards adduced. The Lord Advocate confidently answered that such facts and circumstances would come out upon proof as would satisfy the jury of the pannels' guilt. The delay complained of was owing to no intention of his to oppress the pannels—"he had early information of the murder charged upon and was very willing and desirous it might come to light"—but was due to the difficulty of obtaining conclusive evidence against them, which he hoped he had now done. The Court found the libel relevant, and adjourned till the following day.

At seven o'clock next morning (11th June) the trial was resumed, and a jury, composed of Edinburgh tradesmen, was empanelled. Macdonald was allowed to amend his declaration to the effect that he had spent the night of the murder at the house of Clerk's father in Inverey. The Lord Advocate's first witness was Jean Ghent, the widow of the murdered man, from whose evidence many of the foregoing facts have been related. She described the dress and belongings of her husband on that morning when she last saw him alive, and identified as his the hat and gun found on the hill, as already mentioned. She had seen him cut his initials on the hat, and had remarked to him at the time, "You have made a pretty sort of work of it by having misplaced the letters." The stock of the gun had been altered, but she knew it by "a cross rent" in the middle of the barrel, occasioned, as her husband had told her, by his firing a shot when the gun was over-loaded. While the search party was being organised she had asked the prisoner Clerk, "whom she took to be a particular friend, to try if he could find the body"! The poor woman then little knew how well qualified he was to do so.

Donald Farquharson, whose evidence we have recounted,

told how M'Pherson communicated to him the spirit's message, and described the subsequent burial of the remains. He also identified the gun produced, having been present when Davies fired the charge which cracked the barrel. He had seen gold rings, "one of which had a knob upon it," on the fingers of Elizabeth Downie, a girl whom Clerk had married since the murder. It struck him as being like the sergeant's ring, and he questioned her about it, but she said it had belonged to her mother. Macdonald, as Lord Braco's forester, was the only man who had a warrant "for carrying guns for killing of deer," and Clerk was usually associated with him in his expeditions. Clerk was reputed a sheep-stealer. The witness knew nothing against Macdonald "but that he once broke the chest of one Corbie, and took some money out of it." He considered M'Pherson, the ghost-seer, "an honest lad," but it was the general opinion "that all is not to be believed that he says."

Alexander M'Pherson was then called. In the earlier part of his examination he made no reference to the ghost, but merely stated that in the summer of 1750 he found, lying in a moss bank in the Hill of Christie, the bones of a human body, which at the time he believed to be that of Sergeant Davies. His description of the appearance of the remains agreed with that given by Farquharson. When first discovered, the body was partially concealed, and "by the help of his staff he brought it out and laid it upon the plain ground, in doing whereof some of the bones were separated one from another." He narrated his conversations on the subject with Growar, Daldownie, and Farquharson, described the burial of the bones, and gave the following account of his parleyings with the disembodied sergeant: One night in June, 1750, being then abed in his master's sheiling at Glenclunie, "a vision appeared to him as of a man clad in blue," which he at first took to be "a real living man," namely a brother of Donald Farquharson. The spirit, presumably unwilling to disturb the other sleepers, withdrew to the door of the hut, and M'Pherson arose and followed it outside, when it made the startling announcement, "I am Sergeant Davies!" It added that, in the days of its flesh,

it had been murdered on the Hill of Christie nearly a year before, minutely described the place where the body was hidden, and requested M'Pherson to arrange with Donald Farquharson for its interment. Notwithstanding the singular character of the interview, M'Pherson retained sufficient wit to inquire who had done the deed. The spectre made answer that if M'Pherson had not asked, it might have told him, but as he had, it could not. Perhaps to do so was contrary to ghostly etiquette. Thereupon the apparition vanished "in the twinkling of an eye." So exact were its directions as to the position of the body, that M'Pherson "went within a yard of the place where it lay upon his first going out." Although this should have been an absolute guarantee of the ghost's good faith, M'Pherson did nothing further in the matter. A week later, at the same time and place, "the vision again appeared, naked, and minded him to bury the body." M'Pherson repeated his inquiry as to the identity of the murderer, and the spectre, having apparently laid aside its reticence with its raiment, at once replied, "Duncan Clerk and Alexander Macdonald," and vanished as before. Both conversations were held in Gaelic, with which language the sergeant, when in life, was unfamiliar. Excepting Growar, Daldownie, and Farquharson, M'Pherson had told no one about the vision, nor did he tell the other folks in the sheiling at that time.

Some whisper of the spirit's purpose must have reached the ear of Duncan Clerk, for that autumn he repeatedly invited M'Pherson to enter his service. Clerk's circumstances had unaccountably improved of late. He had taken upon lease the farms of Craggan and Gleney, and was married to Elizabeth Downie, the damsel with the remarkable ring. At Martinmas, 1750, M'Pherson, yielding to his solicitations, became a member of his household. He noticed that his new master carried a long green silk purse, while his mistress wore a gold ring, "with a plate on the outside of it in the form of a seal," both of which, he heard it reported, had belonged to the murdered man. One day when they were together on the hill, Duncan, "spying a young cow," desired M'Pherson to shoot

it. The latter refused to do so, and administered the moral reproof, "that it was such thoughts as these were in his heart when he murdered Sergeant Davies!" Duncan at first used "angry expressions," but M'Pherson sticking to his point, he "fell calm," desired him to keep the secret and he would be a brother to him, offered to help him to stock a farm when he took one, and gave him a promissory note for twenty pounds Scots "to hold his tongue of what he knew of Sergeant Davies." M'Pherson afterwards asked Duncan for payment of the note and failing to obtain it, left his service. That M'Pherson did tackle his master about the murder, is corroborated by John Growar, who reports a conversation between them on the subject, when Duncan, to deprecate exposure, pathetically remarked, "What can you say of an unfortunate man?" After Clerk's arrest, his brother Donald "solicited" M'Pherson to leave the country, "that he might not give evidence," and offered him "half of every penny Donald was worth" if he would bear false witness at the trial.

Whatever may be thought of M'Pherson's ghost story, it is supported by the testimony of Isobel M'Hardie, in whose sheiling the vision appeared. This lady, who missed the spirit on its first call, deponed that on the night in question she, along with her servants, was sleeping in the hut, when she awoke and "saw something naked come in at the door in a bowing posture." From motives either of modesty or fear, "she drew the clothes over her head," and unfortunately saw nothing further. Next morning she mentioned the matter to M'Pherson, who, having decided to comply with the ghost's request, assured her "she might be easy, for that it would not trouble them any more."

James Macdonald, Allanquoich, stated that, having heard the rumour of the pannels' guilt, he applied to Clerk's father-in-law, Alexander Downie, to know if it were true. Downie admitted that it was so, adding, "What could his son-in-law do, since it was in his own defence?" Macdonald had seen upon Elizabeth Downie's finger after her marriage a gold ring, "having a little knap upon it like unto a seal," which he suspected had belonged to Davies. Peter M'Nab, a neighbour,

also saw the gold ring, "pretty massy, having a lump upon it pretty large," and asked Elizabeth how she came by it, to which she answered "that she had bought it from one James Lauder, a merchant." Elspeth Macara, Clerk's servant, had often seen her mistress wearing a gold ring "with a knob upon it of the same metal."

Lauchlan M'Intosh, who had been a servant of the sergeant's landlord, deponed that some two years after the disappearance he saw in the hand of the prisoner Macdonald a penknife resembling one Davies used to carry, which had certain peculiarities known to the witness. He remarked at the time that it was "very like Sergeant Davies's penknife," but Macdonald merely observed "that there were many sic-likes."

John Grant, Altalaat, deponed that the pannels lodged in his house on the night of 27th September 1749, that preceding the murder. Next morning, "after the sun-rising," they went out, each with a gun, saying "that they intended to go a deer-hunting." As he left home that morning to attend a fair at Kirk-michael, and did not return for four days, Grant knew no more of their doings. He was corroborated by his son, who saw the pannels start on their shooting expedition, going up the water to the Hill of Gleney, a mile and a half from the Hill of Christie. Clerk was wearing a grey plaid. Jean Davidson, Inverey, stated that "about sun-setting" on the day Sergeant Davies disappeared she saw Clerk, "having a plaid upon him with a good deal of red in it," return from the hill to his father's house in the clachan.

John Brown, ground-officer, Inverey, said that when, by order of the chamberlain, he called out the inhabitants to search for the missing sergeant, Clerk "challenged him for troubling the country people with such an errand, and upon this the witness and the said Duncan had some scolding words."

Such was the circumstantial evidence adduced in support of the charge; but the Crown was in a position to prove by the direct testimony of an eye-witness that Davies undoubtedly met his death at the prisoners' hands. Angus Cameron, a Rannoch man, swore that upon the day of the murder he and a companion named Duncan Cameron, who had since died, were

hiding, for political reasons, in the heather. They had spent the previous night on Glenbruar Braes, and were then lying concealed in a little hollow upon the side of the Hill of Galcharn on the lookout for one Donald Cameron, "who was afterwards hanged," and some other friends from Lochaber, with whom they expected to foregather that day. They had lain there since "two hours after sun-rising." The time hung heavily enough upon their hands, and they would welcome any passing incident as a relief to the tedium of their vigil. About mid-day they observed Duncan Clerk, whom Angus knew by sight, and another man "of a lower stature," unknown to him, both with guns, pass the hollow where they lay. Clerk had on a grey plaid "with some red in it." An hour or so before sunset Angus saw a man in a blue coat with a gun in his hand, whose hat was edged with white or silver lace, about a gunshot off upon a hill opposite to the place where he lay. Coming up the hill towards the stranger were the two men he had seen in the morning. The three met upon the top of the hill, and after standing some time together Clerk struck the man in blue upon the breast, whereupon the man cried out, clapped his hand to his breast, "turned about, and went off." The other two "stood still for a little," and then each of them raised his gun and fired at him practically at the same moment, though Angus could distinguish the separate reports. "Immediately upon them, the man in blue fell." The murderers then approached their victim, and the watcher saw them stoop down "and handle his body." While they were so employed Angus and his companion deemed it prudent to beat a retreat, which they did unobserved, and, without waiting for their companions, left the district.

Not till the following summer did Angus chance to hear of the vanishing of Sergeant Davies, and realise that he had been present at his slaying. Hitherto he had told no one of what he had seen, but he now consulted two Cameron friends as to how, in the circumstances, he ought to act. They advised him to do nothing in the matter, "as it might get ill-will to himself and bring trouble on the country." The two Camerons above mentioned corroborated. When informed by Angus that he had

seen Clerk and another shoot a man dressed "like a gentleman or an officer" upon a hill in Braemar, one prudently said he did not want to hear any more on that subject, and the other that it would never do to have such a report raised of the country, and advised Angus "to keep the thing secret." We have already seen how the fear of possible reprisals had sealed the lips of those who long before could have enabled the authorities to bring the murderers to justice.

This concluded the evidence for the prosecution, which we have been thus particular in setting forth in view of the startling verdict thereon arrived at by the jury. The proof in exculpation consisted of the testimony of but three witnesses. Colonel Forbes of New deponed that as justice of the peace he had been instructed to examine Elizabeth Downie (who, being Clerk's wife, was incompetent as a witness upon his trial) touching the nature and extent of her jewellery. She informed him that she was married to Clerk in harvest, 1751; that before her marriage she had a copper ring "with a round knot of the same metal on it," which she gave to a glen-herd named Reoch; that since her marriage she had only possessed two rings, a small brass one, which she produced, and a gold one, which she got from her mother. It will be remembered that to other witnesses Elizabeth had given different and contradictory accounts of her rings. Two witnesses who had been at the shearing in Gleney on the day of the murder, said they had seen Clerk there alone about noon. Gleney is a mile farther up the water towards the hill than Inverey, and is about the same distance from Glenclunie. Both witnesses were very vague as to the hour, which they fixed with reference to their dinner, admittedly a moveable feast.

Reoch, who doubtless had his own reasons for declining to testify concerning the ring with the knob on it, having failed to obey his citation as a witness, was fined one hundred merks, the Court inflicting a similar penalty upon another absenting witness. The jury were then enclosed, and the Court adjourned at four o'clock in the morning of 12th June, having sat for twenty-one consecutive hours. At six o'clock the same afternoon the jury, "all in one voice," found the pannels not guilty

of the crime libelled! The Court then "assoilized" Clerk and Macdonald, and dismissed them from the bar.

This amazing conclusion was, one would think, more likely to offend the sergeant's "perturbéd spirit" than the disrespect previously shown to his bones; but whether or not he resented the verdict and troubled in consequence the peace of the jury, we have now no means of knowing. It is highly probable that he had already, by his well-meant intervention, done much to frustrate the ends of justice and bring about his murderers' acquittal; for the supernatural element thus introduced was seized upon by the defence to cast ridicule on the Crown case, and so obscure the very material evidence of the pannels' guilt. Robert M'Intosh, one of their counsel, told Scott that M'Pherson, in cross-examination, swore the phantom spoke "as good Gaelic as ever he heard in Lochaber." "Pretty well," said M'Intosh, "for the ghost of an English sergeant!" But this fact was surely less marvellous than the appearance of the spectre at all; in such matters *c'est le premier pas qui coûte*. It was Sir Walter's opinion that M'Pherson arrived at his knowledge of the murder "by ordinary means," and invented the machinery of the vision to obviate the odium attaching to informers. Such also was the view of Hill Burton, who thought Farquharson a party to the fraud. But this theory ignores the testimony of Isobel M'Hardie, and, as we shall find from contemporary evidence, neither of these men did in fact give the information upon which the prisoners were charged. Unless they had themselves seen the deed done or heard Angus Cameron's account of its doing, they knew no more than any of their neighbours, and it does not appear that Angus had then spoken. They certainly displayed little zeal to discover the authors of the crime, for M'Pherson, despite the revelation, took service with the murderer and remained a year in his employment, while Farquharson did nothing whatever.

The reader will recollect that upon the spirit's first appearance M'Pherson took it for "a real living man, a brother of Donald Farquharson." It would be interesting to learn more of this person; where, for instance, he was that night, what were his relations with the accused, and whether he had not himself

discovered the remains. For it is much more likely that someone, either with a knowledge of the facts or from a desire to fix public suspicion upon Clerk and Macdonald, the reputed murderers, assumed the spectral rôle and successfully imposed upon the credulous shepherd lad, than that the latter would, in the circumstances, invent and swear to so ridiculous a tale. Mrs. M'Hardie, on the second visitation, saw a naked figure enter the low door of the hut "in a bowing posture," which is more suggestive of a physical than a psychic intruder. Whatever the Lord Advocate may have thought of M'Pherson's good faith, it is difficult to see how he could ever have expected the jury to swallow the ghost, but it may be (for the records of these old trials are confusing) that the spirit was judicially evoked by Lockhart in cross-examination. Probably, had M'Pherson and Farquharson confined themselves to the bones and left the murderers to be named by Cameron, who saw and knew them, a conviction would have been secured, for M'Intosh admitted to Scott that both the counsel and agent of the accused were convinced of their guilt.

It has been conjectured, in explanation of the inexplicable verdict, that the jury were Jacobites, and as such would be indisposed to deal very strictly in so trifling a matter as the removal of a superfluous English sergeant, but the fact that they were all Edinburgh tradesmen hardly encourages the supposition. "The whole affair," writes Mr. Lang, "is thoroughly characteristic of the Highlanders and of Scottish jurisprudence after Culloden, while the verdict of 'Not Guilty' (when 'Not Proven' would have been stretching a point) is evidence to the 'common sense' of the eighteenth century."

A curious incident, unnoticed by Scott and Hill Burton, which arose out of the trial, throws some light on the former proceedings, and is in itself sufficiently quaint to be recorded. On Friday, 14th June, two days after the accuseds' acquittal, Alexander Lockhart, their counsel, presented in his own behalf to the Lords of Justiciary a petition and complaint against James Small, late ensign of the Earl of Loudon's regiment, and then factor upon the forfeited estate of Strowan, whose name, it will be recalled, had been mentioned during the trial. Accord-

ing to the petition, Small was "the person upon whose instigation" Clerk and Macdonald had been prosecuted. He had been "extremely industrious in searching out witnesses against them," and it was alleged that not only did he examine and take declarations from the witnesses in private, but after they were cited to give evidence in Court he "dealt with" some of them not to appear, and endeavoured to intimidate others who did not say "such strong things" as he expected. These matters, said Lockhart, he had thought it his duty to bring to the notice of the Court and jury at the trial, which he had accordingly done. Small, resenting his observations, had, armed with a sword and attended by two men "of very suspicious appearances," lain in wait for Lockhart in the Parliament Close that Friday morning. Upon the arrival of the advocate at his usual hour for attending court, Small rushed upon him, "made a clought at the petitioner's nose," and raising his stick, "which he shook over the petitioner's head," made the somewhat superfluous remark that his action was intended as a public affront, which if Lockhart proposed to resent, "he would be at no loss to find out where the said James Small lived." The petitioner pointed out that no words of his could adequately represent "the atrociousness of the injury" to the dignity of the Senators of the College of Justice and the Faculty of Advocates in general and to himself in particular resulting from such scandalous behaviour, and that in these circumstances he was induced to seek redress by summary complaint to the Court "rather than in the way and manner suggested by James Small." The Court granted warrant for the apprehension of the militant factor, and ordered his committal to the Tolbooth till the next sederunt.

Answers to Lockhart's petition were lodged by Small, who stated that he did not receive any information that Clerk and Macdonald were reputed the murderers until he was instructed to inquire into the case and, if possible, discover the criminals. In December 1753 he assisted the Sheriff-Substitute in making such an inquiry, when it appeared from the precognitions then taken that the accused were the guilty parties, and they were charged accordingly. Had he been called as a witness upon

their trial, the objection might validly have been made "that he had given partial counsel in the cause," but though his name was included in the Crown list the point did not arise. Mr. Lockhart, however, in his address, had gratuitously attacked him, with a view to "blacken the petitioner in the most public manner and to fix upon him for ever the basest and worst of characters." He (Small) had been actuated throughout solely by his duty as a good subject and his desire to see justice done, and the strictures of Lockhart upon his conduct, which were well and widely known, so "grieved, vexed, and confounded him by turns" that he was provoked to treat his traducer in the manner set forth in the petition. He protested that in so doing he had intended no disrespect either to the Court or to the Faculty, and though his behaviour "had not perhaps been altogether legal," he hoped the Court would consider his "great and just provocation."

Next day Small was brought to the bar of the High Court of Justiciary. The proceedings took place with closed doors, and the parties were heard by their procurators. The Lords found that the prisoner had been guilty "of a high contempt of this Court, and of a high injury to the Faculty of Advocates and to the complainer, Mr. Alexander Lockhart," and approved of the means taken by the complainer to obtain redress. They ordained Small to be imprisoned in the Tolbooth till Wednesday the 19th, when he must apologise in Court to the injured parties, and find caution to keep the peace for one year, under a penalty of fifty pounds sterling. Lockhart was ordered "not to resent the injury done to him in any other manner."

On 19th June Small again appeared in custody before the Lords, gave in his bond of caution, and having publicly begged the pardon of the Court, of the Dean and Faculty of Advocates, and of Mr. Alexander Lockhart, was thereafter dismissed from the bar.

Thus was vindicated the outraged majesty of the law, which, if it had signally failed to avenge the slaying of the sergeant, despite the co-operation of his unquiet spirit, could at least see justice done to an advocate's nose.

xiv

THE DISCOVERY OF A LIFETIME of reading and research in eighteenth-century life and crime came when I found the first tale of detection ever published in England. It forms the main part of a slim pamphlet, entitled in part:

A faithful narrative of the most wicked and inhuman transactions of that bloody-minded gang of Thief-takers, alias Thief-makers . . . By Joseph Cox, High Constable of the Hundred of Black heath, in the county of Kent. London: Printed for Joseph Cox, and sold by M. Mechell . . . 1756.

On Monday, July 29, 1754, a breeches-maker named James Salmon was robbed on the highway, near Deptford, of half-a-crown, two pair of leather breeches, a very particular tobacco-box, and a pocket-piece. The next day two professional pick-pockets named Peter Kelly and John Ellis, egged on by a carrot-bearded accomplice, sold the breeches and the tobacco-box to a lame cordwainer by the name of James Eagan (or Gahagan). They were thereupon arrested by Stephen Macdaniel, professional thief-taker, to whom they were worth a cool £100 in rewards. The carrot-bearded fellow, though likewise a cash commodity, got away.

Thus far, it was a most commonplace transaction. But now comes in Constable Joseph Cox. The carrot-bearded fellow, he learns, is Thomas Blee, servant to one John Berry, breeches-maker. The constable gets on Blee's trail—and finds that they are all in it together, the thief-taker, the fence, the victim, the carrot-bearded footpad, and his master; and that the object of the crime is not two pair of leather breeches and a pocket-piece, but £100 in blood money.

Joseph Cox walks warily. He holds Blee incommunicado.

He shadows the rest relentlessly. Only when Ellis and Kelly have been found guilty can their accusers be arrested and indicted as accessaries before the crime.

When, after more legal confusion than we have space for here, the thief-makers had met their just punishment, Joseph Cox bethought himself to impart to the world how he had come to detect such villainy. He hit upon the idea of telling his story in order as it happened to him. Thus he created, quite by accident and in the way of business, the first narrative ever published in England which told a tale of detection rather than a tale of crime. I am proud to include it in my record of villainy detected.

Thief-takers, alias Thief-makers

BY JOSEPH COX

SUNDAY, August 4, 1754, having received Information from Mr. Henry Sargent, one of the Constables of the Parish of Greenwich, that he had been to convey to Maidstone-goal, John Ellis and Peter Kelley, committed by Joseph Bell, Esq; for robbing one James Salmon, a Breeches-maker on the Highway, in the Parish of St. Paul, Deptford, in the County of Kent, in Company with one Thomas Blee, not then apprehended; a Description of whom, Mr. Sargent had taken from Kelley, in his way to Goal, with Directions where to find him the said Blee, viz. near Mr. Dickenson's Brew-house in Black Boy-alley; but which Directions afterwards appeared to be false, Blee having given it to the said Ellis and Kelley, that they nor no one else by their Directions, should find the right Place of his Aboard.

Mr. Sargent told me likewise at the same Time, that as soon as he came back from Maidstone, one Ralph Mitchell (a Man eminent in the Thief-taking Way, and a particular acquaintance of Macdaniel) very officiously came in his Way, and to whom Mr. Sargent shewed the Description of Blee, and told him it would be a good Jobb for him to apprehend the said Blee; Mitchell seemingly embraced the offer, took the Direction, and promised to use his Endeavours to apprehend him, and went away, but returned in a short Time, and asked Mr. Sargent who the People were that took Ellis and Kelley (though it is presumed he well knew) to which Sargent replied, he did not remember his or their Names; on which Mitchell

said, was it Macdaniel? And being answered in the Affirmative, he replied, that he would have nothing to do with it, returned the Papers, and went his way.

N. B. This was on Saturday, August 3, and as I afterwards found, Mitchell dined with Macdaniel on the Sunday (Blee being present) and on the Monday Morning came and told me that he had been the Day before to look for Blee but could not find him, for that he was run away.

This Discourse with Sargent being ended, I asked him why he himself did not go and take him, for that I thought he ought to be taken by somebody? His answer was, Blackboy-alley was a very dangerous Place for any Man to go into, and that he did not like to be a Thief-taker, or Words to that Purpose, and that he would have nothing to do with it: On which I proposed going myself if he would go with me, this he readily agreed to, and as we had both Business in London the next Day, being Monday, we agreed to meet in West-Smithfield; where being met, and Sargent's Business not being done, I undertook to go and find the Prosecutor; who, according to the account given of himself when he entered into Recognizance, and of which I had taken care to inform myself at Greenwich, was, that he was a Leather-dresser and Breeches-maker, and lived on Saffron-hill (which proved afterwards to be false, agreeable to what I have before intimated, viz. that it was always their Practise never to give the right place of their Abode) I went, not doubting but that I should find him, and that he was a Man of Credit.

But after making the strictest Enquiry that could be made about Saffron-hill, Hatton-wall, and places adjacent; and amongst all the Breeches-makers and Leather-dressers thereabouts, I found he did not live, neither was he known there; at last I was informed that a Breeches-maker lived in Shoe-lane, to which place I went and found him; I informed him that I had got some Account of Blee, the third Person that robbed him, and that if I took the said Blee, I should send for him to Prosecute. He seemed, as I thought, much confounded and trembled, but said he would go with me to take him, but did

not say he knew him: I have supposed since, that if we had seen Blee, he would have said that it was not he that robbed him, and therefore he must be set at Liberty; however, Salmon and I went together to Sargent in Smithfield, and from thence, going toward Black-boy-alley, I thought it would not be proper for Salmon to go with us, I therefore left him at a public House in Chick-lane, and went into Black-Boy-alley to enquire for Blee; and altho' the whole Affair looked very misterious, yet I did not suspect Salmon at that Time: But after making all the Enquiry there, and in places adjacent, that Prudence directed; I was led by Providence to a public House on Saffron-hill, near the End of Chick-lane; and asking the Landlord if he knew one Thomas Blee, he answered yes, and that he lived or lodged in Scroop's-court in Holborn, with one Macdaniel, and was often in his company.

On which it immediately struck me, that as Macdaniel apprehended Ellis and Kelly, and was thus intimately acquainted with Blee, the Person that robbed with Ellis and Kelly, it must be a contrived Robbery, and done on purpose to Convict Ellis and Kelly; in order to get the Reward given by Act of Parliament.

This and the other Circumstances already mentioned, concurred to confirm me in this Opinion; to which I subjoined, that the Place where the Robbery was committed, was just within the Limits of the Greenwich Subscription, which would entitle them to 40 l. extraordinary. On this I concluded it would not be Proper to go to Macdaniel to ask for Blee, nor yet to have any thing more to say to Salmon the prosecutor, excepting the telling of him, that we could not find Blee. Indeed I thought I had said too much to him already, however, it had this good Effect when Blee was afterwards taken privately, these Thief-takers could not believe it, because Salmon was not sent for, and they concluded nobody else could swear to him.

Thus we thought it would be an Instance of utmost Prudence to counteract those vilest of Villains, still using our constant Endeavours privately to take Blee, in order, if

possible, to come at a full Discovery of the Truth of this Affair. This was, as I have already said, Monday August 5, and Mr. Sargent and I agreed to meet again on the Wednesday following, for that purpose; of which we acquainted Thomas Warren another Constable of Greenwich, who also went with us on that Day. I endeavoured likewise to furnish myself with a Warrant against Blee, but in vain, Ellis and Kelly's Account of him not being upon Oath, and after making great Search and Enquiry for the said Blee, and not being able to find him, and having no Description but that given of him by Ellis and Kelly, and we having Reason to think he had altered his Dress, I determined to get the Assistance of a Man in the Neighbourhood, who upon Enquiry, I found to know him, in order for him to shew us the said Blee; which on my mentioning my Request to the Man, he readily promised, and advised us to come again the next Day, which we did, being Thursday the 8th, but our Friend was not able to perform his Promise; and after spending that Day to no Purpose, our Agent advised us to come again the next Morning very early, for he said he had seen him, but as he was a sort of a Thieftaker, and as there were so many of them thereabouts, and particularly Macdaniel, for his Part he was afraid to meddle with them; but as he had promised to shew Blee to us, he would if he could.

Meeting thus with so many Discouragements, it began to stagger some of our Resolutions, and particularly Mr. Sargent, who thought our Friend had betrayed us, therefore declared he would go out no more after him, but I persisting that if nobody else would I would go by myself, so long as I had the least Hopes of finding him; in this I was seconded by Mr. Warren, who said he would bear me Company.

We agreed to meet at Deptford Upperwater-gate, at four o'Clock next Morning, it being near twelve when we parted that Night; being met as per Agreement, we proceeded to our Friend in Field-lane, and from thence with him to hunt after Blee, first, to Saffron-hill, then to Hatton-wall, Hatton-garden, Holborn-bridge; and from thence as we were going towards Billings-gate as the last place we could go to; in Newgate-

street our Friend saw him, at the other End of the Street, coming towards us, who after pointing him out to me, retired up a Court, and we kept on our way until we met with and took him the said Blee, who, as I expected would, and who accordingly did, with the utmost Readiness make a full and clear Discovery of all those secret Contrivances made use of to seduce Ellis and Kelley to be Parties in committing a Robbery, and afterwards to betray them and share the Rewards; which will appear more fully in the Information hereunto annexed. As soon as we had taken him we made directly for the Water-side, took Boat, and went thro' Bridge to Greenwich, and by the back ways to the Watch-house, where we put him in the back part, as the most secret and secure, until we could get him examined before Justice Bell; who was very ready and willing to give us all the Assistance in his Power to forward the Discovery of so uncommon a scene of Villany; but as the Information itself will be incerted . . . , it sufficeth in this Place to say, that Blee accused John Berry, Stephen Macdaniel, James Eagan, and James Salmon, as the sole contrivers of this Robbery, to destroy John Ellis and Peter Kelly, in order to get the Reward. Here I cannot help taking Notice, in Justice to Blee, in order that the Reader may give him some Credit, that, wicked and abandoned as his past Life has been, I never yet, upon the strictest Enquiry, have had the least Reason to suspect his Veracity in any Part of his Discoveries.

After Blee's Information was taken against those Villains, great Doubts arose as to the Manner of Proceeding against them, and there appeared a great likelihood of much Difficulty, and very great Expence to bring the Offenders to Punishment: This did not deter us from being resolved to do the best we could to punish such notorious Offenders; and therefore Henry Sargent, Thomas Warren and myself, agreed to assist each other to apprehend and prosecute those Monsters; but, as the Gentlemen of the Greenwich Subscription were intended to be cheated by this wicked Scheme; I did apply myself to some of them, with a Desire that they would be pleased to take this Prosecution into their own Hands, and employ a fit Person

to conduct it, as the Expence and Difficulties attending it, appeared much too great for private People to bear; but that was declined, and I was left to struggle with those Difficulties in the best Manner I could, or wholly to desist, and leave such Villany to remain unpunished, and the Perpetrators of it to the repetition of their old Practices; this I was determined not to do, and had resolved if all the World forsook me, to rely upon that Providence which brought me into this Affair, to conduct me to the End of it.

During this Time, Blee by his own desire, and for the better preventing Berry, Macdaniel, &c. from knowing that he was taken, was kept very private for the first two Days, in the back Part of the Watch-house, and it was purposely given out that the Person so confined there, was only taken up for a Bastard-Child.

Sunday intervening, I took Horse, being determined to find out by every Method in my Power, whether all that Blee had said and proposed to give in Information, was true, for altho' Blee was strictly charged by Justice Bell to say nothing but the Truth, yet I was willing to know how far that could be confirmed by other People, therefore I went to Kent-street, and to several other Parts of London for Intelligence, and found to my Satisfaction that every Circumstance corroborated.

Hereupon I returned Home greatly satisfied with that day's Journey; and the next day being Monday August the 12th, Warrants were granted to me by Justice Bell against Macdaniel, Berry, Eagan, and Salmon, for being Accessaries before the Fact, in the aforesaid Robbery committed on Salmon; and Blee, was committed to Maidstone-goal to give Evidence against them, but I took care not to send him, but still kept him secret. These Warrants were not to be served until after John Ellis and Peter Kelley were tried, and then great Care was to be taken not to let them (the Thief-takers) escape: This Method I determined to pursue, but was very apprehensive, that if Macdaniel, Berry, Salmon, Eagan, or any of their Friends should hear that Blee was taken, they would none of them appear at the Assizes; and particularly

Macdaniel, who had evaded being bound over to prosecute, and Berry, who was no Evidence; for Salmon, and Eagan's Evidence, as they could swear strongly, strengthened by Mr. Sargent's producing the Goods, would be sufficient to convict the Lads without the two aforementioned. All those Circumstances gave me great Suspicion and Uneasiness, for fear they should hear that Blee was taken, and should all run away.

Now, though we had kept Blee very secret, yet we found it was talked of, and some of the Thief-takers had actually been at Greenwich to enquire after him, and said they heard that Cox had taken him; on which we removed him in the Night, from out of the back part of the Watch-house into Mr. Warren's Garret, and caused it to be reported the next Day, that the Man for the Bastard-Child had made it up with the Parish, and was gone about his Business.

I likewise made use of several Contrivances to be informed if they (the Thief-takers) intended to go down to the Assizes, and particularly I found out the Person (a Drummer in one of the Regiments of Guards) who happened to be at the Black Spread Eagle in Kent-street, when Ellis and Kelley were taken, and who was sent by Macdaniel to fetch the Prosecutor, and who went with them, together with Macdaniel, Salmon, and Eagan, before Justice Bell, at Greenwich; but who was no ways concerned with them in their wicked Practices. And I found they had endeavoured to put him off from going down to the Assizes, least he should come in for Part of the expected Reward; him I told, that should Ellis and Kelley be convicted there would be a Reward for taking them; but that I did likewise believe the Prosecutors intended to deprive him of his Share of it, however, if he would be ruled by me I would see that he should have Justice done him, but that he must keep it Secret, that he had seen me: I likewise concealed from him the whole of the Discovery I had made, I then sent him (properly instructed) to Salmon, Macdaniel, &c. to find out if they intended to go down to the Assizes, and ordered him to offer to go with them, or by any other means to find out their Intentions.

He came back that same Monday Night, Aug. 12, and told me that he had been at Macdaniel's, Salmon's, &c. and was told they they were gone into the Country; and indeed that same Night, Macdaniel, Berry, and Ralph Mitchell were at Greenwich, making all the Enquiry they could after Blee, but could not find him, and therefore fondly hoping (as I presume) that he had fled, on receiving Intimation of our hunting after him, they of their own accord proposed to Henry Sargent (the Constable that had the Goods of Salmon in his Custody) that they would go down by Water and meet him at Maidstone.

The next Day being Tuesday, August 13, the Day that the Judges went down, I sent the Drummer to London again, who on his return gave me good Reason to think that they the Thief-takers were certainly gone down; and therefore that Night, Mr. Sargent, Mr. Warren and myself, settled the Part that each was to Act, viz. that Sargent and I were to go to Maidstone the next Day, that Sargent should immediately join Company with them (the Thief-takers) and now and then start a little Dispute about the expected Reward; that Mr. Warren should set out the next Night with Blee and some Evidence, such as might be necessary to strengthen Blee's Testimony (it being intended at that Time to apprehend those Thief-takers and to have them tried at the then Assizes) and that they should go by a private Road, called Rotham-road, and stop short of the Town of Maidstone, and send me private Notice when they had arrived there. As for my Part, I was to appear to these Thief-takers quite unconcerned, but privately to endeavour to forward their Bill of Indictment, when they should apply for it, in order to bring Ellis and Kelley the speedier to their Trial, that the Thief-takers might be the sooner apprehended: all of which succeeded, for Macdaniel happening to be in the Street, saw Mr. Sargent and myself come into Maidstone on Horseback, and doubtless observing no Person with us, nor yet finding Blee in the Goal, the Goaler not knowing any thing of his standing committed (for I had kept his Commitment in my Hands from the 9th of

August to this Time, and him very carefully concealed.) Here it may not be amiss to observe, the unsearchable Ways of Providence, which would not suffer such execrable villiany to remain any longer concealed, for that which they thought their greatest Security proved their Destruction, viz. their always contriving to play off those Schemes, just before the Sessions or Assizes, that no Discovery might be made before the Business was done, and which was now the very cause that flung them into the Hands of Justice; for had the Time been longer before the Trials came on, we in all Probability could not have kept Blee concealed.

But to proceed. They confidently applied for their Bill of Indictment against Ellis and Kelley on Wednesday Night, and it was found by the grand Jury on Thursday morning. It added greatly to my Satisfaction to find Macdaniel, Berry, Salmon, and Eagan were all there; and all on the back of the Bill, except Berry, whose Person at that Time I did not know; and as I intended to apprehend him whilst the others were giving their Evidence in Court, I therefore introduced myself into the Company of Macdaniel, and by that means to Berry, and to Salmon and Eagan, and kept them Company with Mr. Sargent part of that Afternoon.

I received Notice likewise, that Mr. Warren, Blee, and the Evidence were arrived at a small public House near the Town, where they had concealed themselves, and waited for further Directions: I found moreover, that the Trial of Ellis and Kelley would be the second after Dinner; and as Berry was not on the back of the Bill, I concluded, that he would not be in Court; and thinking I should want Help, I went to Mr. Warren, and we concluded, that he, Warren, should leave Blee under the care of the Coachman, and come himself to our Assistance, in the dusk of the Evening: and as I suspected, so it happened; for when the Evidence against Ellis and Kelley stood ready to be called into Court, it being very dark, Berry shuffled about from Place to Place, and mixed so often with the Crowd that I lost him once; but soon found him again, yet was resolved not to take him until the others were safe

in Court, which soon after happened; and then I went to him in the upper Court, where he seemed to have concealed himself, and asked him to go and drink, which he complied with, and we went to the Bell-Inn, and Mr. Warren following us close (for that Purpose) we secured him without any Noise, and set a Friend of mine to keep him safe and private, with positive Orders not to suffer him to send a Message to any one before our Return, which was strictly complied with.

This done, Warren and I went into Court, to be ready with Sargent, in order to secure the other three, when convenient; and I placed myself for that Purpose close behind Macdaniel, who wanted (as soon as he had given Evidence) to go out of Court, but I prevented that under Pretence that I could not make way for him on Account of the Throng, being determined not to let him get out; and being likewise unwilling (if I could help it) to Discover what I wanted, least the Jury on their perceiving it should be prejudiced against the Evidence, and acquit the Lads, which would have spoiled the whole Affair. We continued in that Posture until all the Evidence was gone thorough, and then the Cryer of the Court bid them all go down; which as they were preparing very readily to obey, forced me to seize on Macdaniel, and with the Help of Mr. Sargent and Mr. Warren, we secured not only him, but Salmon and Eagan also; and Mr. Warren, whilst I held Macdaniel's Right-hand, disarmed him of his long and dangerous Knife, which Blee had given me an Account of before: I still concealed the Reason of apprehending them, until the Judge had given his Charge to the Jury, and they had brought John Ellis and Peter Kelley in Guilty; and then I acquainted his Lordship, that I had Warrants from Justice Bell against Stephen Macdaniel, James Salmon, and James Eagan, the three Persons whom I had presumed to take in Court; and likewise against John Berry, whom I had also just taken, and put in safe Custody, for being Accessaries before the Fact, for that same Robbery; that is, for contriving it, and directing how it should be done, in order to draw in Ellis and Kelley, and to get the Reward. I then produced the Warrants; and after

they were read in Court, and some Questions asked by his Lordship, he was pleased to order me to take Care of the Prisoners for that Night (it being very late) and ordered the Officers of the Court to Assist me; and on my Application, he likewise ordered me to take Care of, and keep (till the Prisoners were tried) the two pair of leather Breeches, the Handkerchief, Knife and Fork, Tobacco-box, and Pocket-piece, which Salmon had been robbed off, in order to produce them on their Trial: the Tobacco-box and Pocket-piece being Macdaniel's, as will hereafter appear.

The next Day (being Friday the 16th) I carried them before Abraham Tilghman, Esq; and a great Number of other Justices who were assembled there on Account of the Assizes; and he committed James Salmon, to the County-goal for a Misdemeanor in contriving to have himself robbed, in order to Defraud; and he was told, that he wasailable, but it was put down in his Commitment that he should give me timely Notice, of the Names of his Bail, and where they lived, that I might enquire into their Character and make my Objections to them, if I had any. Berry and Eagan were committed for being Accessories in the aforesaid Robbery: and Macdaniel was committed (but according to his Request) for further Examination, he declaring himself capable to make some Discovery, which would be of Benefit to the Public: Which notable Discovery (as I was afterwards informed) was, that he Macdaniel would have made out, that Berry wrote Copies of those threatening Letters to the Earl of Leicester, Post-master-general relating to the taking down of Stockdale and Johnson, who were executed the Summer before this Discovery was made, for robbing and shooting the Penny-Postman near Endfield, and afterwards hung in Chains. Which Letters had induced the said Earl of Leicester to publish five hundred Pounds Reward for the Discoverer of the Author; and their Design was afterwards to get a Robbery sworn against any Person of a bad Character whom they should fix on; and being provided with a Warrant and Constable, they should in the hurry of apprehending him convey the said

Copies of the two Letters wrote with the same Hand, privately into the Man's Pocket, and afterward bid the Constable search him; and he finding them so naturally, they were to swear, he on whom the Letters were found wrote them, and by that Means to get the five hundred Pounds.

This Information of Macdaniel's had the effect to induce the Government to send down the Sollicitor of the Post-Office, to examine him, but they did not proceed any further, and Macdaniel was committed as an Accessary, as Berry and Eagan had been before.

These Men being discovered and apprehended, as I have related, August 15, 1754, and not tried until the 1st of March 1755, that Time was employed (as Opportunity would permit) to find out and collect together, by Blee's Information and otherwise, proper Evidence, to support and to corroborate the whole of Blee's Testimony; for as he was an Accomplice, his own Evidence unsupported would not convict them. Before I proceed, I hope it may not be disagreeable to my Readers, to let them know the Particulars of the Attempt of Macdaniel to break out of Maidstone Goal, which seems in the Thread of this Discourse to come most properly into this Place, and which are as follows:

Macdaniel being confined in the same Ward with one John Constable (under Sentence of Death for a Highway Robbery, but reprieved) and another Prisoner; meditated an Escape, and that it might be kept a Secret, Macdaniel thought proper to swear his Companions on a Bible which they had in the Ward, the Scheme being agreed on, Constable who was a Clock or Watch-maker, knew what tools were best adapted to cut their irons off, and where they were to be had, and having an Acquaintance in London, one William Savage a Shoemaker, and a young Fellow just out of his Apprenticeship, him they sent for, under Pretence of having an Affair of Consequence to communicate; and on his coming to them, they gave him Money and proper Instructions to go to Fosterlane, London, to purchase three Spring-saws in Frames, and two Files; Macdaniel furnished him likewise with a great

Coat, and a Letter to his dear and loving Wife . . . to desire her to contribute something towards helping them to Horses for the intended Escape; but she not being over ready to comply, and the Goaler receiving some Intimation of what was intended, watched the Return of the Messenger so dexterously; that he surprized him in the Goal, with the Implements upon him; for which he was tried and convicted, and afterwards transported; and poor Macdaniel not only disappointed of his Hopes, but strongly ironed and closely confined for the future, both in Maidstone Goal and in Newgate, to which place he and the rest were afterwards removed by Habeus Corpus, to take their Trials at the Old Baily, upon the Statute of the 4th and 5th of Philip and Mary, c. 4. which says; Every Person that shall maliciously Command, Hire, or Counsel any Person or Persons to commit, or do any Robbery, in or near any High-way, in this Realm of England, and be thereof convicted, shall not have Benefit of Clergy.

And by the Statute of the 3d and 4th of William and Mary c. 4. which says, That all and every Person or Persons, that shall Comfort, Aid, Abet, Assist, Counsel, Hire or Command any Person to Rob another, shall be excluded from the Benefit of their Clergy.

This being the Law, the following Information will shew how far the abominable Wretches whom we have under Consideration, are obnoxious thereto.

The Information of Thomas Blee, of the Parish of St. Andrew, Holborn, Breeches-maker, taken upon Oath before Joseph Bell, Esq; one of his Majesty's Justices of the Peace for the County of Kent is as follows:

Kent to wit,

THIS Informant saith, that about four Weeks since, or upwards, Stephen Macdaniel of Scroop's-Court, in the said Parish, of St. Andrew desired this Informant to give a good look-out, to get a Couple to go upon the Scamp; and that it should be twenty Pounds in his way: meaning, for this Informant to

get, or intice into his Company two Lads, or Men, to Rob with him on the Highway, and afterwards to betray the said two Persons to the said Macdaniel, and share the Reward, which was to be expected upon their being convicted: and in order thereto, the said Macdaniel did frequently afterwards go with this Informant, into the adjacent Fields about the Town, to seek for such Persons as they should think fit for their said Purpose, but could not meet with any.

And this Informant saith, that he met the said Macdaniel, and John Berry of Hatton-wall, near Hatton-garden; James Salmon of Shoe-lane, London, Breeches-maker; and James Eagan of Drury-lane, London, Cordwainer; all of whom were present with, and did hear the said Macdaniel make the above Proposal to this Informant, at several different Times and Places in order to concert Means to put this their said Scheme into Execution.

And this Informant saith, that about a fortnight since, he met with John Ellis and Peter Kelley (now Prisoner in his Majesty's Goal at Maidstone, for a Highway Robbery) in Fleet-market; and as this Informant knew them to be Youths of bad Life and Conversation, and therefore judged them fit for the purpose, he joined with them in company, and after treating them with Liquor at divers times, he proposed to them to go to Deptford to steal some Linen, which they readily acquiesced in, and came to this Informant on the Thursday following, according to appointment for that Purpose; but this Informant put them off till the succeeding Monday, by the Direction of the said Macdaniel, Berry, Salmon and Eagan, who had all at different times seen the said Ellis and Kelley, and approved of them as fit for the Purpose; and judged that Monday would be the most proper Day to have the Robbery committed on, lest if the said Ellis and Kelley should be apprehended on Saturday, and should be detained any where near London, all that Day and Sunday, some Circumstances might appear to render their Scheme Abortive.

And this Informant saith, that he met the said Ellis and Kelley on the appointed Monday; and that in their Way

to Deptford, he called at the Bell in the Burrough (as had been before agreed upon) where was Berry and Salmon, whom he at that time took no Notice of.

And this Informant saith, that as it had been concerted between them, the said Macdaniel, Berry, Salmon and Eagan; that the intended Robbery should be committed somewhere between New-cross Turnpike and Deptford; in order to intitle them to the Reward given for apprehending High-way Robbers, by the Parish of East-Greenwich, and other adjoining Parishes in the said County; this Informant took the said Ellis and Kelly with him to a publick House, known by the Sign of the Ship, in Deptford aforesaid, where the said Berry and Salmon had also appointed that they would be; but on this Informant not seeing them there, after staying some Time, he left the said Ellis and Kelly at the Sign of the Ship aforesaid, and went out to look for the said Berry and Salmon; and having found the said Berry, he Berry counselled this Informant to return to the said Ellis and Kelley, and told him that Salmon should follow immediately: this informant obeyed the Order, and saith that the said Salmon did soon after come into the said Sign of the Ship, and called for some Beer, and staid there for near an Hour; during which Time, this Informant treated the said Ellis and Kelley with Bread and Cheese, and Beer and Gin; and upon the said Salmon's going away, which was in the Dusk of the Evening; this Informant, and said Ellis and Kelly immediately followed him, in order to Rob him in the first Convenient Place.

He further saith, that the said Salmon stopt opposite to the four-mile Stone, between Deptford and New-cross Turnpike; under a Pretence to Urine, but in order that his Informant, and said Ellis and Kelley might overtake him the said Salmon, and Rob him there: and this Informant saith, that they did accordingly come up with the said Salmon there; and this Informant, without his, or the said Ellis or Kelley producing any Weapon, or making Use of any Menaces to the said Salmon, took from under the said Salmon's Arm, two Pair of Leather Breeches, which had been purposely marked with a particular Mark in

the Pocket, or Waistband, and tied up in a Linen Handkerchief; which was also particularly marked at the Corners: and that the said Kelley took out of the said Salmon's Pocket, a clasp Knife and Fork, and an Iron Tobacco-box, which was the said Macdaniel's; but as it was a very remarkable one, he lent it to the said Salmon on that Occasion; and which had in it two Shillings and Six-pence in Silver, a Silver Pocket-piece, also purposely marked, with a Tool belonging to the said Eagan; and saith that they immediately upon this left the said James Salmon who had tamely submitted himself to be robbed, as had been agreed on, as aforesaid.

And this Informant saith, that after they had so robbed and left the said Salmon, as aforesaid, this Informant and said Ellis and Kelley went and lodged in Kent-street, Southwark as before agreed upon; and that this Informant early in the Morning, took the said Ellis and Kelley with him to the Sign of the Black-Spread-Eagle in Kent-street aforesaid; where this Informant had agreed with said Macdaniel, Berry, Salmon and Eagan, to bring them, in order that Ellis and Kelly might be there taken; and this Informant saith that about 7 o'Clock in the Morning of the said Day; the said Eagan came in as if by Accident, and this Informant told the said Ellis and Kelly, that that man, meaning Eagan, dealt at Ragg-fair, and would probably buy the Breeches; and this Informant asked the said Eagan, if he would buy some Leather Breeches? and he, the said Eagan, agreed to give them five Shillings for them, and to bind the Bargain, the said Eagan gave Kelly one Shilling Earnest.

Immediately after this, Eagan called for a Half-penny worth of Tobacco, and said he had lost his Box and wanted one, with an Intent that the said Ellis and Kelley should produce the Tobacco Box, which this Informant and they had robbed Sallmon off; and which they did produce, and the said Eagan bought the same of them for a Pot of Two-penny.

And this Informant saith, that the said Eagan after Breakfasting with them went out, under Pretence of getting the rest of the Money to pay for the said Breeches, and this Informant

some time afterwards followed him, under Pretence to get shaved, and went to another Ale-house in Kent-street, where he had agreed to meet the said Macdaniel, Berry, Salmon, and Eagan, whom he found there; and the said Macdaniel and Eagan immediately went and secured the said Ellis and Kelley; with all the Things of which the said Ellis and Kelley, and this Informant, had robbed the said Salmon of, as aforesaid, in their Custody, except the said Tobacco-Box, which the said Eagan had purchased of them as aforesaid.

And this Informant saith, that he hath at several times since been in Company with the said Macdaniel, Berry and Salmon, both together and separately, and discoursed with them about the said Robbery, and that they have all severally encouraged this Informant, and told him that should he be impeached or suspected, the said Salmon would not appear against him, and always exprest their Satisfaction of their Success in this Enterprize, promised to share the Reward usually allowed by Act of Parliament, and the Subscriptionary Reward as aforesaid; among them the said Macdaniel, Berry, Salmon, Eagan and this Informant.

And lastly, this Informant saith, that the aforesaid Robbery was solely contrived with Intent to convict the said Ellis and Kelley, and to get the several Rewards as aforesaid,

Signed by

THOMAS BLEE.

Sworn the 13 of August 1754,
before Justice BELL.

I judge it will not be disagreeable to my Readers, to find annexed hereunto some Particulars which for the sake of Brevity were omitted, or not fully enlarged upon in Blee's Information; but were afterwards taken from his own Mouth, viz. that after these Thief-takers alias Thief-makers, had concerted the Scheme for drawing in a couple of unthinking Youths to join in committing this sham Robbery; after Blee had pitched upon Ellis and Kelley, the two Lads we have been speaking of; Eagan had a Desire of going down the Fleet-

market (a Place where they spent many of their idle Hours) that he might have Sight of them, which he did, and saw this Informant talking with them, and giving them some Half-pence, as had been before appointed to buy them some Gin: After which, this Informant and Eagan joined Company and went together to Macdaniel's Lodgings, where Eagan swore by the Great God, that they (meaning the Lads) would do very well.

Hereupon Eagan and Berry who was with the said Macdaniel, proposed that Blee should get the Lads into the Artillery-Ground that Afternoon, that he the said Macdaniel, and Berry, and Salmon also, might have sight of them: On which this Informant and Berry went to the Plum-tree in Plum-tree-court (a Passage leading out of Shoe-lane near unto Holborn-bridge), and beckoned to Salmon as they went by his Shop, who followed them there, and Berry told him that this Informant Blee had got two that he believed would do, that the said Berry was to have Sight of them in the Artillery-ground that Afternoon, and then would let them know further; after which this Informant parted from Berry and Salmon, and went in Company again with Ellis and Kelly, who on this Informant's proposing it, readily went with him to the Artillery-ground, where Berry and Macdaniel took a full View of them; and afterwards taking an Opportunity, told this Informant, that they would do very well for the Purpose of robbing Salmon, Berry likewise gave this Informant Six-pence to treat them with, and bid them keep him Company and not lose them: but to sound them by saying he knew of a fine Parcel of Lully, the cant Word for Linen, at Deptford to ask them to assist him to steal it. This was done, because it was not thought proper as yet, to propose to them to rob on the High-way; which, lest they should not consent to go purposely upon, was deferred till just the time that the Fact was to be committed.

One thing very remarkable happened whilst they were in the Artillery-ground, as this Informant saith, viz. there was a Hurley Burley of a Pick-pocket's being Duck'd, in the Pyde-horse-yard, which proved to be John Ellis; whereupon Mac-

daniel said to this Informant, he is our chief Man, go after him, see where he goes, be careful that you do not lose him: Whereupon the Mob being dispersed, this Informant went to him in order to cheer him a little, and again gave him Money to buy some Gin and Parted for that Night, and on Friday met him and Kelley again, and on Saturday did the same, and after parting with them, (and as it had been agreed that the intended Robbery should be committed on the Monday following) he this Informant was ordered by Berry, who gave him Six-pence for that Purpose, to go into Kent-street and look for, and fix on, some mean Ale-house as a proper Place to decoy the Lads to, after the Robbery should be done, in order to have them apprehended.

And he this Informant went, and found the Black-spread-Eagle, which he judged very fit for the Purpose, and reported it as such to Berry who approved thereof; and the next Morning being Sunday, he this Informant, met Eagan by accident, who told this Informant that he had seen Berry, who had ordered him the said Eagan to be at the Black-spread-Eagle on Tuesday Morning early, and gave him, this Informant, a Half-penny to buy him a Dram, and the same Day this Informant saw Ellis and Kelly and treated them, and fixed the next Day to go to Deptford, and agreed to meet on the Morning at six o'Clock in the Fleet-market, where they proceeded as hath already been set forth in this Informants Information.

This Informant went as had been agreed, to the White-bear, another public House in Kent-street, to give Notice that then was the Time to take Ellis and Kelly, but not finding Macdaniel, &c. there, he was beckoned by Eagan, to a public House over the way; where was present, Macdaniel, Berry, Salmon and Eagan, and they had had Beacon for Breakfast, that on Macdaniel and Eagan's going away to take Ellis and Kelley, he, Blee, went towards the Borough, and left Salmon and Berry there; and that he waited a considerable Time at the Bell in the Borough for Berry, who at last came, and they went home together: and going along, or whilst they were

together, Berry told him the said Blee, that the said Salmon had refused to consent to be robbed for fear the two Lads should use him ill; unless he the said Berry would place himself near at hand, which he did, and actually was behind the four mile Stone whilst the Robbery was done, and asked the said Blee if he did not see him the said Berry there.

N. B. The four mile Stone is on the opposite side of the Road from the Footway, at about 70 yards Distance, near to which are Trees and Bushes, very convenient for that Purpose.

Blee further saith, that before the Robbery was done: by the Advice of Macdaniel and Berry, he suffered his Beard to grow very long, and Berry gave him an old great Coat and Wigg which made him look very old; but after that was over, by their Advice, he left off his great Coat, and Wig, and clean got shaved, and went in his Waistcoat; and Macdaniel gave him a Cooper's Apron, which he wore when taken; that the Night before he was taken he lay at Berry's, and asked him the said Berry, if he thought he might go out with Safety, and was answered yes, as it was so early in the Morning.

Signed,

THOMAS BLEE.

February the 28th, they were tried at the Sessions at the Old Bailey, in the Mayoralty of Slingsby Bethell, Esq; upon an Indictment for combining and conspiring together, that one Thomas Blee should procure two Persons, namely, Peter Kelley and John Ellis, to go to Deptford in Kent, and to take divers Goods and Money from the Person of James Salmon, on the King's Highway, who was to be waiting at a certain Place for that Purpose; with intent that they should cause the said two Persons to be apprehended and convicted for robbing him the said Salmon on the King's Highway, and so unjustly and wickedly procure to themselves the Rewards mentioned in the Act of Parliament, and other Parochial Rewards, for the apprehending of Highwaymen.

The Prisoners having nothing material to say in their Defence, the Jury found them Guilty. The Sentence pro-

nounced against them by the Court, was, to be imprisoned in Newgate for the Term of seven Years; and in that Time to be each of them set in the Pillory twice, in manner following: Macdaniel and Berry in Holborn, near Hatton-Garden, Gahagan and Salmon in the Middle of Smithfield. And afterwards Macdaniel and Berry at the End of King-street, Cheap-side; and Gahagan and Salmon again in Fleet-street, near Fetter-lane End; and at the End of that Time to find Sureties for their good Behaviour for three Years, and to pay a Fine of one Mark each.

Pursuant to their Sentence, Macdaniel and Berry, on the 5th of March, stood in the Pillory in Holborn near Hatton-Garden, and were so severely handled by the Populace, that it was with the utmost Difficulty that one of the Sheriffs and the Keeper of Newgate, who stood in a Balcony just by, prevented their being utterly destroyed; and so great was the Mob, that the Peace-Officers found it impossible to protect the Prisoners from their Fury.

March 8, Gahagan and Salmon stood in the Pillory in the Middle of Smithfield-Rounds; they were instantly assaulted with Showers of Oyster-shells, Stones, &c. and had not stood above half an Hour before Gahagan was struck dead, and Salmon was so dangerously wounded in the Head, that it was thought impossible he could recover. Whatever Punishment they might deserve from the Law, it is certain they ought not to be killed thro' the Rage of the Populace.

XV

WAS THE HEIR OF DOUGLAS the son of Lady Jane Douglas, or was he the kidnapped brat of Mignon the glass-blower of Paris? This question went from the courts of Scotland to the English House of Peers, and was answered first one way, then another. The cause was won by the character of Lady Jane, a fascinating charmer, a good mother, a lady of the finest moral sentiments. Trying the cause many years later on the same grounds, Mr. Percy Fitzgerald in *Lady Jean* returned the opposite verdict: a dame so resolute and full of resource was fully capable of stealing the glass-blower's brat to serve her ends. The final answer has not yet been made.

I have culled a lucid account of this famous scandal in high life from *The Lives and Adventures of Remarkable Impostors* (c. 1875). In one detail the writer was mistaken. Archibald Douglas, inheriting his uncle's estates by the distaff side, was *not* heir to his peerage.

The Douglas Peerage Case

ANONYMOUS

RATHER more than a hundred years ago the whole kingdom was disturbed by the judicial proceedings which were taken with reference to the succession to the ancient honours of the great Scotch house of Douglas. Boswell, who was but little indisposed to exaggeration, and who is reported by Sir Walter Scott to have been such an ardent partizan that he headed a mob which smashed the windows of the judges of the Court of Session, says that "the Douglas cause shook the security of birthright in Scotland to its foundation, and was a cause which, had it happened before the Union, when there was no appeal to a British House of Lords, would have left the fortress of honours and of property in ruins." His zeal even led him to oppose his idol Dr. Johnson, who took the opposite side, and to tell him that he knew nothing of the cause, which, he adds, he does most seriously believe was the case. But however this may be, the popular interest and excitement were extreme; the decision of the Court of Session in 1767 led to serious disturbances, and the reversal of its judgment two years later was received with the most extravagant demonstrations of joy.

In the beginning of the eighteenth century, Archibald, Duke of Douglas, wore the honours of Sholto, "the Douglas." His father, James, the second Marquis of Douglas, had been twice married, and had issue by his first wife in the person of James, earl of Angus, who was killed at the battle of Steinkirk; and by his second of a son and daughter. The son was the Archibald just mentioned, who became his heir and successor, and the daughter was named Lady Jane. Her ladyship, like

most of the women of the Douglas family, was celebrated for her beauty; but unhappily became afterwards as famous for her evil fortune. In her first womanhood she entered into a nuptial agreement with the Earl of Dalkeith, who subsequently became Duke of Buccleuch, but the marriage was unexpectedly broken off, and for very many years she persistently refused all the offers which were made for her hand. At length, in 1746, when she was forty-eight years old, she was secretly married to Mr. Stewart, of Grantully. This gentleman was a penniless scion of a good family, and the sole resources of the newly-wedded couple consisted of an allowance of £300 per annum, which had been granted by the duke to his sister, with whom he was on no friendly terms. Even this paltry means of support was precarious, and it was resolved to keep the marriage secret. The more effectually to conceal it, Mr. Stewart and his nobly-born wife repaired to France, and remained on the Continent for three years. At the end of that time they returned to England, bringing with them two children, of whom they alleged the Lady Jane had been delivered in Paris, at a twin-birth, in July 1748. Six months previously to their arrival in London their marriage had been made public, and the duke had stopped the allowance which he had previously granted. They were, therefore, in the direst distress; and, to add to their other misfortunes, Mr. Stewart being deeply involved in debt, his creditors threw him into prison.

Lady Jane bore up against her accumulated sorrows with more than womanly heroism, and when she found all her efforts to excite the sympathy of her brother unavailing, addressed the following letter to Mr. Pelham, then Secretary of State:—

“SIR,—If I meant to importune you I should ill deserve the generous compassion which I was informed some months ago you expressed upon being acquainted with my distress. I take this as the least troublesome way of thanking you, and desiring you to lay my application before the king in such a light as your own humanity will suggest. I cannot tell my story without

seeming to complain of one of whom I never will complain. I am persuaded my brother wishes me well, but, from a mistaken resentment, upon a creditor of mine demanding from him a trifling sum, he has stopped the annuity which he had always paid me—my father having left me, his only younger child, in a manner unprovided for. Till the Duke of Douglas is set right—which I am confident he will be—I am destitute. Presumptive heiress of a great estate and family, with two children, I want bread. Your own nobleness of mind will make you feel how much it costs me to beg, though from the king. My birth, and the attachment of my family, I flatter myself his Majesty is not unacquainted with. Should he think me an object of his royal bounty, my heart won't suffer any bounds to be set to my gratitude; and, give me leave to say, my spirit won't suffer me to be burdensome to his Majesty longer than my cruel necessity compels me.

“I little thought of ever being reduced to petition in this way; your goodness will therefore excuse me if I have mistaken the manner, or said anything improper. Though personally unknown to you, I rely upon your intercession. The consciousness of your own mind in having done so good and charitable a deed will be a better return than the thanks of

“JANE DOUGLAS STEWART.”

The result was that the king granted the distressed lady a pension of £300 a-year; but Lady Jane seems to have been little relieved thereby. The Douglas' notions of economy were perhaps eccentric, but, at all events, not only did Mr. Stewart still remain in prison, but his wife was frequently compelled to sell the contents of her wardrobe to supply him with suitable food during his prolonged residence in the custody of the officers of the Court of King's Bench. During the course of his incarceration Lady Jane resided in Chelsea, and the letters which passed between the severed pair, letters which were afterwards produced in court—proved that their children were rarely absent from their thoughts, and that on all occasions they treated them with the warmest parental affection.

In 1752, Lady Jane visited Scotland, accompanied by her children, for the purpose, if possible, of effecting a reconciliation with her brother; but the duke flatly refused even to accord her an interview. She therefore returned to London, leaving the children in the care of a nurse at Edinburgh. This woman, who had originally accompanied herself and her husband to the Continent, treated them in the kindest possible manner; but, notwithstanding her care, Sholto Thomas Stewart, the younger of the twins, sickened and died on the 11th of May 1753. The disconsolate mother at once hurried back to the Scottish capital, and again endeavoured to move her brother to have compassion upon her in her distress. Her efforts were fruitless, and, worn out by starvation, hardship, and fatigue, she, too, sank and died in the following November, disowned by her friends, and, as she said to Pelham, "wanting bread."

Better days soon dawned upon Archibald, the surviving twin. Lady Shaw, deeply stirred by the misfortunes and lamentable end of his mother, took him under her own charge, and educated and supported him as befitted his condition. When she died a nobleman took him up; and his father, having unexpectedly succeeded to the baronetcy and estates of Grantully, on acquiring his inheritance, immediately executed a bond of provision in his favour for upwards of £2500, and therein acknowledged him as his son by Lady Jane Douglas.

The rancour of the duke, however, had not died away, and he stubbornly refused to recognize the child as his nephew. And, more than this, after having spent the greater portion of his life in seclusion, he unexpectedly entered into a marriage, in 1758, with the eldest daughter of Mr. James Douglas, of Mains. This lady, far from sharing in the opinions of her noble lord, espoused the cause of the lad whom he so firmly repudiated, and became a partisan so earnest that a quarrel resulted, which gave rise to a separation. But peace was easily restored, and quietness once more reigned in the ducal household.

In the middle of 1761, the Duke of Douglas was unex-

pectedly taken ill, and his physicians pronounced his malady to be mortal. Nature, in her strange and unexplained way, told the ill-tempered peer the same tale, and, when death was actually before his eyes, he repented of his conduct towards his unfortunate sister. To herself he was unable to make any reparation, but her boy remained; and, on the 11th of July 1761, he executed an entail of his entire estates in favour of the heirs of his father, James, Marquis of Douglas, with remainder to Lord Douglas Hamilton, the brother of the Duke of Hamilton, and supplemented it by another deed which set forth that, as in the event of his death without heirs of his body, Archibald Douglas, *alias* Stewart, a minor, and son of the deceased Lady Jane Douglas, his sister, would succeed him, he appointed the Duchess of Douglas, the Duke of Queensberry, and certain other persons whom he named, to be the lad's tutors and guardians. Thus, from being a rejected waif, the boy became the acknowledged heir to a peerage, and a long rent-roll.

There were still, however, many difficulties to be surmounted. The guardians of the young Hamilton had no intention of losing the splendid prize which was almost within their grasp, and repudiated the boy's pretensions. On the other hand, the guardians of the youthful Stewart-Douglas were determined to procure the official recognition of his claims. Accordingly, immediately after the duke's decease, they hastened to put him in possession of the Douglas estate, and set on foot legal proceedings to justify their conduct. The Hamilton faction thereupon despatched one of their number to Paris, and on his return their emissary rejoiced their hearts and elevated their hopes by informing them that he was convinced, on safe grounds, that Lady Jane Douglas had never given birth to the twins, as suggested, and that the whole story was a fabrication. They, therefore, asserted before the courts that the claimant to the Douglas honours was not a Douglas at all.

They denied that Lady Jane Douglas was delivered on July 10, 1748, in the house of a Madame La Brune, as stated;

and brought forward various circumstances to show that Madame La Brune herself never existed. They asserted that it was impossible that the birth could have taken place at that time, because on the specified date, and for several days precedent and subsequent to the 10th of July, Lady Jane Douglas with her husband and a Mrs. Hewit were staying at the Hotel de Chalons—an inn kept by a Mons. Godefroi, who, with his wife, was ready to prove their residence there. And they not only maintained that dark work had been carried on in Paris by the parties concerned in the affair, but alleged that Sir John Stewart, Lady Jane Douglas, and Mrs. Hewit, had stolen from French parents the children which they afterwards foisted upon the public as real Douglasses.

The claimant, and those representing him, on their part, brought forward the depositions of several witnesses that Lady Jane Douglas appeared to them to be with child while at Aix-la-Chapelle and other places, and put in evidence the sworn testimony of Mrs. Hewit, who accompanied the newly-wedded pair to the continent, as to the actual delivery of her ladyship at Paris upon the 10th of July 1748. They also submitted the depositions of independent witnesses as to the recognition of the claimant by Sir John (then Mr.) Stewart and his wife, and produced a variety of letters which had passed between Sir John Stewart, Lady Jane Douglas, Mrs. Hewit, and others as to the birth. They also added to their case four letters, which purported to emanate from Pierre la Marre, whom they represented to have been the accoucheur at the delivery of Lady Jane.

Sir John Stewart, Lady Jane's husband, and the reputed father of the claimant, died in June 1764; but, before his decease, his depositions were taken in the presence of two ministers and of a justice of the peace. He asserted, "as one slipping into eternity, that the defendant (Archibald Stewart) and his deceased twin-brother were both born of the body of Lady Jane Douglas, his lawful spouse, in the year 1748."

The case came before the Court of Session on the 17th of July 1767, when no fewer than fifteen judges took their seats

to decide it. During its continuance Mrs. Hewit, who was charged with abetting the fraud, died; but before her death she also, like Sir John Stewart, formally and firmly asserted with her dying breath, that her evidence in the matter was unprejudiced and true. After a patient hearing seven of the judges voted to "sustain the reasons of reduction," and the other seven to "assolzie the defender." In other words, the bench was divided in opinion, and the Lord President, who has no vote except as an umpire in such a dilemma, voted for the Hamilton or illegitimacy side, and thus deprived Archibald Douglas, or Stewart, of both the title and the estates.

But a matter of such importance could not, naturally, be allowed to remain in such an unsatisfactory condition. An appeal was made to the House of Lords, and the judgment of the Scottish Court of Sessions was reversed in 1769. Archibald Douglas was, therefore, declared to be the son of Lady Jane, and the heir to the dukedom of Douglas.

(I cannot allow James Boswell the last word over Dr. Sam: Johnson; especially when, in sober truth, Dr. Johnson had much the better of the exchange. Boswell records it in his *Tour to the Hebrides*. He had lowered his guard by lamenting the ruined state of Holyrood chapel, and particularly complaining that his friend Douglas should suffer the sacred spot where his mother lies interred to be unroofed, and exposed to all the inclemencies of the weather.

"Sir, sir," answered Dr. Johnson slyly, "don't be too severe upon the gentleman; don't accuse him of want of filial piety! Lady Jane Douglas was not *his* mother!"

L. de la T.)

xvi

HIS MOTHER-IN-LAW'S MALICE pursued handsome Captain John Donellan, and brought him to the gallows. But did this malice spring from conventional causes, or was it the enmity of a woman for the murderer of her eldest son? Thousands of words were printed for and against the handsome captain in his own day, but he is almost forgotten since.

The case gains in interest because it may have been the first to involve that famous "smell of bitter almonds." Among the expert witnesses at the trial was the renowned John Hunter, some of whose testimony is here given verbatim.

Readers of *Lavengro* will remember how the hero turned Grub Street hack to compile a collection of Newgate lives and trials. Here is a sample—the trial of Captain Donellan, as it appeared in George Borrow's *Celebrated Trials* (1825).

Captain John Donellan

BY GEORGE BORROW

CAPTAIN DONELLAN, the son of Colonel Donellan, was educated at the Royal Academy, Woolwich, for the regiment of artillery, in which he received a commission, and proceeded very young to the East Indies. Unfortunately for him, his views in the army were terminated by some military misdemeanour, which, either by the sentence of a court-martial, or otherwise, obliged him to retire from active service. He now became a man of fashion on the town, and his address recommended him to the office of master of the ceremonies at the Pantheon, an employment which he filled with credit and profit. His first acquaintance with the Boughton family arose at Bath, in the following manner. Lady Boughton and her daughter, on arriving in that city, found every bed in every hotel pre-occupied; and it was signified by the landlord of the hotel at which they stopped, that they had no alternative but to sleep on the chairs of their sitting room. This fact coming to the knowledge of Donellan, who had for some days occupied a chamber in the house, he requested the landlord to introduce him to the ladies, and he made them an offer of his bed in so polite a manner, that it was accepted. In return, the ladies invited the gallant captain to breakfast with them in the morning, which the enterprising Donellan improved into such an acquaintance, that soon after, in 1777, he married Miss Boughton, a sister of Sir Theodosius, the brother and sister being the only surviving children of Sir Edward Boughton, Bart. of Lawford-Hall, in the county of Warwick.

At the time of his sister's marriage, Sir Theodosius Boughton was just entering into his seventeenth year, and was

a student at Eton, where Mr. and Mrs. Donellan paid him their nuptial visit, and soon after took up their residence at Bath. Although Captain Donellan possessed little or no fortune of his own, it has been already observed, that the match was approved of by the friends of the lady; to conciliate whom, the Captain not only settled the whole of his wife's actual fortune upon herself, but also every thing which she might afterwards become entitled to, either by inheritance or legacy. Such was the apparently happy commencement of an alliance which ended so disastrously. The arrival of Captain and Mrs. Donellan at Lawford-Hall, occurred in June, 1778, about a year after their marriage; and it appears they continued resident and domesticated there from that time until the sudden death of Sir Theodosius in 1780.

At Lawford-Hall, the influence of the Captain was very great. He was in the maturity of active life, that is, in his seven or eight and thirtieth year; while Lady Boughton was aged, and the baronet scarcely twenty at his death; his ascendancy will therefore not appear surprising. Other circumstances tended to give him this weight; Lady Boughton was not a very intellectual woman, and her ill-fated son appears to have been occupied entirely by his pleasures. The first visit Donellan paid to the youth was at Eton; he had then just completed his sixteenth year, and yet was under the care of a medical gentleman, for a complaint which it is unnecessary to name. From Eton he was removed to Northampton, and placed under the private tuition of a Mr. Jones; and it is proved that he was attended there for something similar. It further appears, that he indulged in the dangerous habit of prescribing for himself, and that he was continually taking physic; and lastly, he was again infected at the time of his death.

Such, with the addition of the unhappy Mrs. Donellan, was the family circle at Lawford-Hall; and if to the foregoing particulars it be added, that the latter was heir-at-law to the larger part of her brother's fortune, if he died without legitimate issue; and that the ostensible views of Captain Donellan were to take orders to enable him to enjoy the two

livings in the gift of Sir Theodosius—the reader will be furnished with a tolerably faithful outline of the relative situation of this family, when the fatal circumstance occurred, which threw it into so much confusion, and which is now to be described from the testimony of Lady Boughton, as delivered before the Coroner. This particular deposition it will be proper to give at large, as it was the deponent's *first* account of the melancholy transaction; and because in the subsequent trial she materially varied in her explanation of the identical fact which decided the fate of the accused.

“Anna Maria Boughton, of Little Lawford, in the county of Warwick, widow, upon her oath, saith, That the deceased was her son; that for a considerable time before his death, he took various medicines which were sent to him from a Mr. Powell, a surgeon in Rugby, which sometimes occasioned the deceased to keep his room. That on the thirtieth of August last, this examinant went into his room to give him part of the medicines sent for him from the said Mr. Powell; and that about seven o'clock in the morning of the same day, this examinant, by the direction of the deceased, gave him the medicine contained in one of the phial bottles then standing upon the mantel-piece of the deceased; that she perceived, upon pouring it out into the bason to give to the deceased, a large quantity of powder or sediment at the bottom of the phial; that it had a *very offensive and nauseous smell*; that the deceased complained very much of the nauseousness of the medicine, and that he thought he should not be able to keep it upon his stomach; that there was a label upon the bottle, in which the medicine was contained, expressing the medicine to be the purging potion for Sir Theodosius Boughton. And this examinant saith, that she cannot tell whether there were any other bottles in the deceased's room containing the same medicine. That John Donellan, Esq. this examinant's son-in-law, *being informed by her of the situation the deceased was in, came up stairs to this examinant*; and after being informed by this examinant of the medicine she had given him, desired her to give him the bottle; and that he then *put water into the bottle, and poured it and the settling of the bottle out together; put his finger into it, and informed this examinant it had a nauseous*

taste. And this examinant further saith, that the deceased, immediately after taking the medicine, seemed as if he was going into convulsions for a considerable time; but after that appearance had subsided, the deceased seemed as if he was going to sleep; upon which this examinant left the room, and returned back in the space of about five minutes, when she found the deceased with his eyes fixed, his teeth set, and the froth running out of his mouth; and that he expired in a few minutes afterwards. And this examinant further saith, that the composition or mixture contained in the bottle given by her to the deceased, *was something in colour to that produced and shewn to her by the said Mr. Powell*, at this the time of her examination, but to the smell very different, to the best of this examinant's information and belief.

ANNA BOUGHTON."

One of the strongest circumstances attendant upon a death so alarming was the subsequent conduct of Lady Boughton: it would seem from her further deposition on the succeeding day, and on the trial, that the rinsing of the bottles by Captain Donellan struck her as exceedingly suspicious and improper, yet neither these suspicions, nor the suddenness of her son's death upon the swallowing of a medicine, induced her to take the arrangement of the funeral out of his hands, or even to interest herself to have any surgical or legal inspection of the body. In so calm a way, indeed, did this calamity pass over, that on the Saturday following the Wednesday on which it took place, the deceased was absolutely soldered up in his coffin.

Public attention, however, was excited; and poison being generally suspected, the report of these suspicions at length reached the ears of the assistant guardian, Sir William Wheeler, who wrote a polite note to Captain Donellan, informing him of the nature of the prevalent rumour, and of the necessity there was to do it away by a professional examination of the body. The reply of Captain Donellan was prompt and acquiescent; and he also expressed a wish, that Sir William Wheeler himself would attend. The three practitioners, with an assistant, however, arrived by themselves, and were in-

formed by the Captain, that they were called upon to open the body of the deceased—"for the satisfaction of us all," but he did not mention the suspicion of poison. It is remarkable that upon this intimation, the gentlemen, finding that owing to the putridity of the body, the operation would be attended with danger to themselves, declined it—on the ground, that in its then state, it would not determine the cause of the death; and Captain Donellan was blamed for not inducing them to operate, at all hazards, by resting on the suspicion of poison; or, in other words, on the suspicion that he was himself the murderer of his brother-in-law. Afterwards—in giving Sir William Wheeler an epistolary account of this visit, he left it ambiguous, whether the body had been opened or not; but then, on the other hand, he requested one of the gentlemen himself to call on the baronet, who promised to do so, but did not.

On the next morning, Mr. Bucknill, a surgeon of Rugby, having heard that the former gentlemen had declined operating, called at Lawford Hall, and offered to take out the stomach at his own risk; but the Captain declined on the ground of unfairness to the other professional gentlemen, unless directly authorized by Sir W. Wheeler; and, in consequence, Mr. Bucknill went away. Of this visit Sir William heard, and wrote again, requesting that Mr. Bucknill and his own apothecary, Mr. Snow, might do what it was so desirable should be done; but owing to their professional engagements, the two gentlemen missed each other; Mr. Bucknill, who came first, was called away to a dying patient; and when he returned, Mr. Snow had arrived, and from a sense of danger, having declined opening the body, had departed. Captain Donellan, therefore, upon this, proceeded with the funeral, which took place the same day, between three and four o'clock.

In all these transactions, it is very remarkable that although the suspicion of poison could, and did, attach to Captain Donellan only, yet he was strangely permitted to arrange every proceeding which was to produce satisfaction, and that by the mother of the deceased, who was very early alarmed at his equivocal conduct.

But, although the interment was effected, when it became generally known that the body had not been opened, the minds of all orders of people were excited, and it was laudably insisted upon by the gentlemen of the neighbourhood, that the deceased should be taken up, the Coroner be called, and a surgical examination take place by course of law. This was done accordingly, and the depositions on the first day of examination were in substance as follows.

That of Lady Boughton has already been given.

Mr. Powell, the apothecary, who supplied the draught, the taking of which was followed by the death of Sir Theodosius, deposed, that it was a mixture consisting of jalap, rhubarb, spirits of lavender, simple syrup, and some nutmeg water.

Sarah Steane, who laid out the deceased, simply stated that to the time of the body being placed in the coffin, it appeared the same, in every respect, as any other corpse.

William and Samuel Frost, servants, deposed that the evening and morning preceding his death, the deceased appeared to them to be in good health and spirits.

Mr. Wilmer, a surgeon, one of the professional gentlemen who declined opening the body in the first instance, because its putridity rendered satisfaction from the operation hopeless, now deposed, that such had been his expressed opinion; and further, that being present at the opening of the body when disinterred, he found all the contents of the abdomen or lower belly, more or less inflamed, and putrid; the upper part of the intestinal canal more inflamed than the lower part; the texture of the kidneys destroyed, and the internal substance bloody, and of a red colour; the omentum or caul tender in its texture, and inflamed; the liver smaller than usual, and soft in its texture; the stomach much altered from its natural state, but not so much inflamed as the parts in its neighbourhood; that it contained somewhat less than an ounce of brown coloured thick fluid, which, when taken out and examined in a bason, discovered no grittiness, or any metallic particles; that the midriff was particularly inflamed; the lungs putrid and inflamed, and in some parts black, and on each side of the lungs,

in the cavity of the thorax, or chest, was about a pint of extravasated blood in a fluid state. Mr. Wilmer further averred, that he had seen the mixture furnished by Mr. Powell, and that such draught or mixture could not at any time occasion the death of the deceased; and that, for the reasons before suggested by him, he was induced to believe that it was *'then impossible to tell what occasioned the deceased's death.'*

Doctor Rattray corroborated the whole of the above; but added, that he believed, from the deposition of Lady Boughton, that the medicine administered by her caused the death of her son.

Mr. Snow, a surgeon, merely confirmed the depositions of Mr. Wilmer and Doctor Rattray generally.

Mr. Bucknill deposed to the same purpose, with the additional confirmation of Doctor Rattray's opinion, as to the draught administered by Lady Boughton being the immediate cause of her son's death.

Lady Boughton declared, that when Captain Donellan was told of the effect of the medicine upon the deceased, he asked where the bottle was that had contained it; and, upon it being pointed out to him, he "swilled the bottle out with water, and threw the water and the medicine which was left at the bottom of the bottle *upon the ground.*" That, upon her expressing her surprise that he should do so, he said, that it was in order to taste it; but that he did not taste it, but proceeded to empty a second bottle, which stood upon the deceased's mantel-piece, but what was contained therein she knew not. That, after throwing away the contents of the second bottle, Captain Donellan ordered Sarah Blundell, who was then in the room, to take the same away; but that examinant objected to such removal, and desired the servant to leave them where they were; that Captain Donellan however still persisted in his orders; and she believed they were removed accordingly. Lady Boughton further observed, that upon her return home from the last examination, Captain Donellan, who had heard it taken, had expressed surprise and displeasure at her then deposing that he had rinsed the bottles, and told her that she was only obligated to answer such questions as should be asked.

That she had heard Captain Donellan advise her son to keep his medicines in his first room, and not in an inner-room, which he kept locked; whereas any part of the family might have access to the former. Finally, she deposed that the circumstance of the said Captain Donellan's swilling the bottles, led her to suppose "*that some unfair dealings had been carried on respecting her son, and that he had died by the medicine she had given him.*"

The Coroner's Jury, brought in a verdict of Wilful Murder against Captain Donellan, and he was immediately committed for trial.

In consequence of the assizes having been recently concluded, Captain Donellan's trial did not come on until seven months after the alledged offence, during which interval his case became the constant subject of public discussion.

Mr. Powell, the apothecary, the first witness, proved, as before, the nature of the draughts sent by him to Sir Theodosius Boughton; and described him to have been at the time slightly indisposed of a venereal complaint; and that he gave him nothing but cooling physic and an embrocation.

That when he reached Lawford Hall, in consequence of an express informing him of the dangerous state of Sir Theodosius, the latter had been dead an hour; that he met Captain Donellan in the court yard, who went with him to see the corpse, in which he observed nothing particular; that upon asking how the deceased died, the Captain replied in convulsions, but put no questions to him in return; and that the general intent of the prisoner seemed to be to promote an idea that Sir Theodosius had taken cold.

The evidence of Lady Boughton on the trial varied materially from both her depositions before the coroner. The general substance of her evidence, as affecting the prisoner at the bar, may be reduced to the following points:

That Mrs. Donellan would inherit 1200*l.* per annum by the death of Sir Theodosius.

That when Lady Boughton once talked of quitting Lawford Hall, the prisoner advised her not to do so, as her son was in a bad state of health, and she knew not what might

happen—a prediction which her ladyship then understood to allude to the danger incurred by Sir Theodosius *in hunting*.

That her son was about to receive a week's visit from a Mr. Fonnereau, and to depart with him on a visit in return.

That one day Captain Donellan, in her hearing, advised Sir Theodosius to keep his medicines in his chamber, which was always open, rather than in an inner room, which was usually locked.

That Captain Donellan was absent from his wife and Lady Boughton on the evening when the medicines arrived, and accounted for his absence by saying, he had been to see Sir Theodosius fishing.

That upon Captain Donellan's coming into the room, and asking in what manner Sir Theodosius was taken ill, he was shewn the two draughts sent by Mr. Powell, the last of which had proved so fatal; that he took up one of them, and said, "is this it?" and upon being answered yes, poured some water out of a water-bottle into the phial, shook it, and then emptied it out into some dirty water, which was in a wash-hand bason. That her ladyship observed to him, that he ought not to do so, but that he immediately snatched the other bottle, poured water into it, and shook it, and then put his finger to it and tasted it, saying, when remonstrated with upon the impropriety of meddling with the bottles, that he did it to taste the contents, but that he did not taste the rinsings of the first phial at all.

That the prisoner desired Sarah Blundell to take away the bason, the dirty things, and the bottles, and that he put the bottles into her hands; that her ladyship directed the servant to let the things alone, and took them from her; but that the prisoner, while her back was turned, gave the bottles to her again, as the said servant, who is since dead, informed her—That, previous to this second order, he had also directed that the room might be cleaned, and the clothes thrown into an inner room.

That, during the whole of the foregoing scene, Sir Theodosius was not entirely dead.

That, some time afterwards, when her ladyship went into

the parlour, Captain Donellan observed to his wife, in her presence, that her mother had been pleased to take notice of his washing the bottles out, and that he did not know what he should have done, if he had not thought of saying he put the water into it to put his finger to it to taste it. That her ladyship turned away to the window without reply, upon which he repeated the foregoing observation, and rang for the coachman to prove the time of his going out that morning.

That, upon returning from the first examination before the coroner, Captain Donellan said to his wife, before her ladyship, that she (Lady Boughton) had no occasion to have mentioned his washing the bottle; and that she should only have answered the questions put to her.

Mary Lynes, the house-keeper, proved, that Captain Donellan frequently amused himself with distilling roses; and Francis Amos, gardener, that he had brought him a still, with wet lime in it, to clean, a few days after the young baronet's death.

William Croft, one of the coroner's jury, swore that he saw the prisoner pull Lady Boughton by the sleeve when she first deposed that he had rinsed the phial.

Sir William Wheeler proved the tenor of his correspondence with Captain Donellan, relative to opening the body.

The three professional gentlemen who first attended to open the body, deposed, that they would have done so, at all events, had they been informed that poison was suspected; they also described the poisonous nature of laurel water, and proved that its effects upon animal life were similar to those of the draughts given to Sir Theodosius. They also gave a positive opinion that the deceased died by a poisonous draught administered by Lady Boughton, and that the appearance of the body was such as might follow the swallowing of a strong vegetable poison.

Doctors Ashe and Parsons, celebrated physicians, corroborated the opinions of the foregoing witnesses.

Mr. Bucknill, the surgeon who had volunteered to operate in the first instance, related his first and second visit to Lawford Hall, to open the body, as already detailed.

Such was the tenor of the evidence for the prosecution.

Mr. Powell, after proving the innocence of his own prescription, asserted, that the disorder of Sir Theodosius was slight, and that he gave him nothing but cooling physic and an embrocation.

This gentleman, though his answers in court seemed to confine his prescriptions to cooling physic and an embrocation, had administered boluses of calomel—and, in fact, treated a venereal patient as venereal patients are usually treated.

The principal fact deposed to by Lady Boughton, was the rinsing of the phials. The prisoner accounted for it, by saying, that when informed by Lady Boughton of what had happened, he asked her what she had given to her son, and where the bottle was, and, upon its being pointed out to him, took it and held it up to the light; and finding it apparently clean and dry, put a tea-spoonful of water into it, rinsed it well, and poured it into a small white bason then on the table, in order to taste it with his finger, which he did several times, and declared it very nauseous. That he also tasted several more medicines, which stood on the mantel-piece, on which there were many phials, gallipots, &c. which smelt very offensively; and observing Lady Boughton begin to put the room in order, he told Sarah Blundell to help her ladyship, and particularly to remove a chamber-pan. That happening to stand near the chimney-piece, when she began to take away the phials, he very innocently handed some to her, &c.

The testimony of the three medical gentlemen proved, that they would have opened the body, at all risks, if they had been aware of the suspicion of poison. The same gentlemen, with Doctors Parsons and Ashe, believed, that the draught administered by Lady Boughton caused the death of her son.

Mr. JOHN HUNTER sworn; *Examined by* Mr. NEWNHAM.

Q. Have you heard the evidence that has been given by these gentlemen?—A. I have been present the whole time.

Q. Did you hear Lady Boughton's evidence?—A. I heard the whole.

Q. Did you attend to the symptoms her Ladyship described,

as appearing upon Sir Theodosius Boughton, after the medicine was given him?—A. I did.

Q. Can any certain inference upon physical or chirurgical principles be drawn from those symptoms, or from the appearances, externally or internally, of the body, to enable you, in your judgment, to decide that the death was occasioned by poison?—I was in London then; a gentleman who is in court waited upon me with a copy of the examination of Mr. Powell and Lady Boughton, and an account of the dissection, and the physical gentlemen's opinion upon that dissection.

Q. I don't wish to go into that—I put my question in a general way. A. The whole appearances upon the dissection explain nothing but putrefaction.

Q. You have been long in the habit of dissecting human subjects? I presume you have dissected more than any man in Europe? A. I have dissected some thousands in thirty-three years.

Q. Are those appearances you have heard described such, in your judgment, as are the result of putrefaction in dead subjects?—A. Entirely.

Q. Are the symptoms that appeared after the medicine was given, such as necessarily conclude that the person had taken poison?—A. Certainly not.

Q. If an apoplexy had come on, would not the symptoms have been nearly or somewhat similar?—A. Very much the same.

Q. Have you ever known or heard of a young subject dying of an apoplectic or epileptic fit?—A. Certainly; but with regard to the apoplexy, not so frequent: young subjects will perhaps die more frequently of epilepsies than old ones; children are dying every day from teething, which is a species of epilepsy arising from an irritation.

Q. Did you ever in your practice know an instance of laurel water being given to a human subject?—A. No, never.

Q. Is any certain analogy to be drawn from the effects of any given species of poison upon an animal of the brute creation, to that it may have upon a human subject?—A. As far as my experience goes, which is not a very confined one, because I have poisoned some thousands of animals, they are very near the same: opium, for instance, will poison a dog similar to a man; arsenic

will have very near the same effect upon a dog as it would have, I take it for granted, upon a man; I know something of the effects of them, and I believe their operations will be nearly similar.

Q. Are there not many things which will kill animals almost instantaneously, that will have no detrimental or noxious effect upon a human subject; spirits, for instance, occur to me?—A. I apprehend a great deal depends upon the mode of experiment; no man is fit to make one, but those who have made many, and paid considerable attention to all the circumstances that relate to experiments:—It is a common experiment, which, I believe, seldom fails, and it is in the mouth of every body, that a little brandy will kill a cat: I have made the experiment, and have killed several cats, but it is a false experiment; in all those cases where it kills the cat, it kills the cat by getting into her lungs, not into her stomach; because, if you convey the same quantity of brandy, or three times as much, into the stomach, in such a way as the lungs shall not be affected, the cat will not die. Now, in those experiments that are made by forcing an animal to drink, there are two operations going on; one is a refusing the liquor by the animal—its kicking, and working with its throat, to refuse it; the other is, a forcing the liquor upon the animal, and there are very few operations of that kind, but some of the liquor gets into the lungs; I have known it from experience.

Q. If you had been called upon to dissect a body supposed to have died of poison, should you, or not, have thought it necessary to have pursued your search through the guts?—A. Certainly.

Q. Do you not apprehend that you would have been more likely to receive information from thence than any other part of the frame?—A. That is the tract of the poison, and I certainly should have followed that tract through.

Q. You have heard of the froth issuing from Sir Theodosius's mouth, a minute or two before he died; is that peculiar to a man dying of poison, or is it not very common in many other complaints?—A. I fancy it is a general effect, of people dying in what you may call health, in an apoplexy or epilepsy, in all sudden deaths, where the person was a moment before that in perfect health.

Q. Have you ever had an opportunity of seeing such appearances upon such subjects?—A. Hundreds of times.

Q. Should you consider yourself bound, by such an appearance, to impute the death of a subject to poison?—A. No, certainly not; I should rather suspect an apoplexy, and I wish, in this case, the head had been opened to remove all doubts.

Q. If the head had been opened, do you apprehend all doubts would have been removed?—A. It would have been still farther removed; because, although the body was putrid so that one could not tell whether it was a recent inflammation, yet an apoplexy arises from an extravasation of blood in the brain, which would have laid in a coagulum. I apprehend, although the body was putrid, that would have been much more visible than the effect any poison could have had upon the stomach or intestines.

Q. Then, in your judgment upon the appearances the gentlemen have described, no inference can be drawn from thence, that Sir Theodosius Boughton died of poison?—A. Certainly not; it does not give the least suspicion.

The cross examination of this eminent surgeon admitted, that death following the taking of a draught was suspicious, but he wholly denied that it was necessarily caused by it; and asserted, that any symptom and appearance on opening the body of the deceased; or, as described by Lady Boughton, might be furnished by the epilepsy or apoplexy. As the father of Sir Theodosius died of the latter disorder, he was asked if it were likely to attack a thin young man, under a course of cooling physic; he answered, certainly not so likely; but that he had known of two young women dying of apoplexy.

The jury, at length, returned a verdict of wilful murder, and Donellan was sentenced to death.

He suffered, pursuant to this sentence, on the 1st of April, 1781, at Warwick; and he died with perfect resignation, and uttered solemn protestations of innocence to the last moments of his life. From papers left behind him for the purpose, a very elaborate and well written defence was composed, and published almost immediately after his death; it produced a great sensation at the time.

XVii

GEORGE PARKER, *Life's Painter*, was successively midshipman, common soldier, supernumerary exciseman, inn-keeper, strolling player, author, friend of Oliver Goldsmith, Dr. Sam: Johnson, and Sir Joshua Reynolds; and in his decline, hawker of gingerbread-nuts at fairs and race-meetings. In all these capacities he saw much of high life and low. He is noted in his obituary as having been the "projector of the plan of police in Dublin," doubtless due to his close acquaintance with cross coves and culls. He included in *Life's Painter* (1789) the following racy episode in a flash ken. It carries its own glossary, doubly worth reprinting, both for its own flavor, and because instead of copying the same old word-list of Queen Elizabeth's day, as many had done before him, he made up his own list, in which appear many new and changed items of thieves' French. His word order is equally original; he scorns alphabetizing, and glosses the words in order as they appear in the text.

I perforce include the old man's lyric appeal to the fair sex, to close the peeping eye and shun his flash episode like a snake in the grass. But in my own person I adjure them to stoop their pinions and risk the effects of a vicious variety in the chaste recesses of the female breast, rather than miss the concert of rough music, the gammon and patter in the ken, and a rich variety of morts, coves, and culls, as they go upon the dobbin rig, nap a clink, or console themselves with two bob-sticks of slim.

*Low Life in the Neighbourhood
of St. Giles's (with a Glossary
and Key to the Same)*

BY GEORGE PARKER

WITH a fearful foot, I enter on the soil of the following chapter, and I do beseech my fair readers to shun it, lest, in this primrose path, they meet a snake in the grass; therefore, ye dear delights of the universe, to man more precious than honour, wealth, or friendship, stop short, I once more beseech you, lest twining round your light heels, like the original serpent, a vicious variety may level your delicate imaginations, and leave them in a state as dangerous as delightful.

But, if female curiosity will prevail, and still the peeping eye would pervade the midnight orgies of the moderns, I must first inform them, that the following compositions are intended only for that part of the public, who has so generously patronized my undertaking; that species of people, who at the same time that they can enjoy the flights of fancy on an attic wing, yet, stooping their pinions, feel as much pleasure in the effusions of what is termed cant, flash, low wit and humour, which substantially are quickened by the same orb, as the witty compositions of a more refined taste.

For them, and them alone, the following traits of low character are introduced, and as a dancing star ruled my birth, and on my first onset in life, set me off with the most eccentric and convivial disposition, I once more conjure the fair reader

will pass over the following pages; for the man who could be capable of instilling poison in the chaste recesses of a female breast, deserves not the name of man, nor the happiness a virtuous and fond woman can bestow.

The BALLAD SINGER in the neighbourhood of
ST. GILES'S.

Ballad Singer. Come, my lucky masters, here's a choice collection of songs, that have been sung at Drury-lane, Common Garden, Sadler's Wells, the Uproar-House, Fox-Hall, and other places out of the most famourest roratorios.—Bless your eyes and limbs, lay out a mag with poor churring Joe.—I don't come here every darkey—but come, I'll lip ye a chaunt—as rum a one as you ever heard,—it's intitled and called, The Masqueraders; or, The World as it wags.

Song

Ye flats, sharps, and rum ones, who make up this pother;
Who gape and stare, just like stuck pigs at each other,
As mirrors, wherein at full length do appear
Your follies reflected so apish and *queer*.
Tol de rol, &c.

Attend, while I *sings*, how, in every station,
Masquerading is practised throughout every nation:
Some mask for mere pleasure, but many we know,
To lick in the *rhino*, false faces will show.
Tol de rol, &c.

Twig counsellors jabb'ring 'bout justice and law,
Cease greasing their fists and they'll soon cease their jaw;
And patriots, 'bout freedom will kick up a riot,
Till their ends are all gain'd, and their jaws then are quiet.
Tol de rol, &c.

Twig levees, they're made up of time-sarving faces,
 With fawning or flatt'ring for int'rest or places;
 And ladies appear too at court and elsewhere,
 In borrow'd complexions, false shape, and false hair.
 Tol de rol, &c.

Twig *clargymen*—but as there needs no more proof,
 My chaunt I *concludes*, and shall now pad the hoof;
 So nobles and gents, lug your couterfeits out,
 I'll take brums or cut ones, and thank you to boot.
 Tol de rol, &c.

What, no copper clinking among you, my hearties? No one to give me hansel? What, have you got red-hot heaters in your gropers, that you are afraid to thrust your daddles in them? It won't do I say, to stand here for nicks—all hearers and no buyers—what, will none of you drop your loose kelter? Crap me but I must shove my trunk, and hop the twig—I see as how there's nothing to be got in this here place.

HIS BLOWEN, a FEMALE BALLAD SINGER, now joins him.

Female ballad Singer. Don't mizzle yet.

Male ballad Singer. The kelter tumbles in but queerly—however we'll give 'em one more chaunt.—The next song is intitled and call'd The Happy Pair.

JOE

Ye slang-boys all, since wedlock's noose,
 Together fast has tied
 Moll Blabbermuns and rowling Joe,
 Each other's joy and pride;—
 Your broomsticks and tin kettles bring,
 With cannisters and stones.
 Ye butchers bring your cleavers too,
 Likewise your marrow-bones;
 For ne'er a brace in marriage hitch'd,
 By no one can be found,

Villainy Detected

That's half so blest as Joe and Moll,
Search all St. Giles's round.

MOLL

Though saucy queer-gamm'd smutty muns
Was once my favourite man,
Though rugged muzzle tink'ring Tom
For me left maw-mouth'd Nan:
Though padding Jack and diving Ned,
With blink-ey'd buzzing Sam
Have made me drunk with hot, and stood
The racket of a dram;
Though Scamp the ballad-singing kid,
Call'd me his darling frow,
I've tip'd them all the double, for
The sake of rowling Joe.

CHORUS

Therefore, in jolly chorus now,
Let's chaunt it all together,
And let each cull's and doxy's heart
Be lighter than a feather;
And as the kelter runs quite flush,
Like natty shining kiddies,
To treat the coaxing, giggling brims,
With spunk let's post our neddies!
Then we'll all roll in bub and grub,
Till from that ken we go,
Since rowling Joe's tuck'd up with Moll,
And Moll's tuck'd up with Joe.

Joe. They now begin to drop the glanthem, I must tip 'em some rum gammon.

Moll. Aye do, why should you be dubber-mumm'd? there's no horneys, traps, scouts, nor beak-runners amongst them.

Joe. Oh, here's an old pal of mine, (speaking to one of

the crowd) I say, how are you? slang us your mauly; what lock do you cut now?

Pal. Why, there being a rum squeeze at the spell last darkey, I was wipe priggig; we made a regular stall for a tick and reader, but the cull was up to us, and we could not do him; I only napt a couple of bird's eye wipes, which I have fenc'd to that there cove at this here ken over the way—you know him I suppose.

Joe. Know him! I believe I do; it's not the first time I have fenced a rum-screen with him, and Moll, when she used for to go upon the Dobbin, has sold him many a cant. Who did you leave there? Come, we'll go over and give you a noggin of lightning.

[All go over to a noted public house.

Pal. (Speaking to the landlord.) Have you any body in the lumber behind the bar?

Cove. Yes, there's Touching Sue, Tolibon Nan, two or three queer plungers, a running rumbler, smacking Sam, a Cock-a-brass, and a sky-larker.

Moll Slavy. Walk in, gentlefolks.

[Here the three enter the room, and a general conversation ensues.

Mol. (Speaking to Joe.) I say, call for a bobstick worth of rum slim.

Pal. What, are Moll and you adam'd?

Joe. Yes we are, and by a rum Tom Pat too.

Pal. What's become of her brother Jack?

Joe. Why, I suppose you know that he was knocked down for the crap the last sessions—he went off at the fall of the leaf, at tuck'em fair.

Moll. He wouldn't have been hobbled, but the melting pot receiver proved his selling the clink to him, (naps the bib) and that's what did him over.

Pal. Come, come, it's what we must all come to sooner or later—no more jaw about crapping.

Tolobon Nan. (Speaking to Moll.) Will you have a flash of lightning?

Moll. I am just going to drink some slim. I suppose you have heard that Joe and I are adam'd, hav'nt you? We dorsed some time together upon the queer-roost, but now we come the rum-snooze at once—how do you work now?

Tolobon Nan. O, upon the old slang, and sometimes a little lully-prigging—my man is hobbled upon the leg for three years on board Duncan Campbel's floating academy, for napping a clink.

Queer Plunger. I must go to mosque tomorrow, where I am to nap a couple of neds from the Humane Society.

Sky-larker. I must go on the lark-rig, blue pigeon flying, or come the running glazier.

Touching Sue. And I shall go upon the running rumble, if you will go with me, Mr. Cock-a-brass, I'll give you a rum ding of a tick or a reader; I have done one cull twice with between fifteen and sixteen strike in his sack, and if I should see him again tomorrow, I'll do him out and out. But if you work with me at the rumble, I shall stand no more than you get from the gentlemen of the dróp, and that's better to you than going upon the fawny. I know you are a bad one upon the knuckle, or else you should have your full wack. Pray don't your blowen go upon the dobbin now?

Cock-a-brass. No, not lately, she works now upon the running snavels, and I do a little upon the kid rig, and sometimes I go upon the morning sneak.

Enter the COVE of the KEN

Cove. I say, my kiddies, there's two bobsticks of slim, a bender for ale, and a flag's worth of lightning to pay; don't think that I mention this from any suspicion of your bilking me, but from a dead certainty, you will if you can, therefore pay now; and that will prevent any thing of a roue being kick'd up.

Tolobon Nan. Whose a-going to kick up a roue? you forget when you was the village hustler, and was chaunted upon the leer, for doing a farmer out of a screen. I dare say, if any of us was to come in by ourselves and should happen to take a

snooze, you'd snitch upon us, and soon have the traps, and fix us, in putting a lap feeder in our sack, that you or your blowen had prig'd yourselves, though we should stand the frisk for it. You know, Mr. Cove, you'll buy a dozen or two of wipes, dobbin cants, or a fam, or a tick, with any rascal, from a melting-pot-receiver in Duke's place, to a fence-shop in Field-lane.

Old Pal. What's all this gammon and patter about? d——n you, you are all snitchers, and shew me the person that when the neddies are posted, or pinched hard, that won't snitch, from high treason, Lutter-lough, down to a gallows lumper.

[Here the reckoning is paid and all go.

GLOSSARY

The following glossary to the foregoing chapter is humbly presumed will be found most useful to all ranks and degrees of people.

FLASH. To talk flash: that is, to speak the cant language.

MAG. Is a halfpenny.

CHERRUPING JOE. Meaning a good ballad singer.

DARKEY. Night.

LIP YE A CHAUNT. To sing a good song.

RUM ONE. Meaning a good one.

FLATS. Men who are easily taken in, imposed upon, or in their language, to be had, or spoke to.

SHARPS. Men of a contrary nature. This term is applied to sharpers in general, who are continually looking out for flats, in order to do them upon the broads, that is, cards, or in short, any thing else, from pitch and hustle in Moorfields, to the Pharo table at St. James's.

QUEER. Any thing not so good as it should be, then they say 'twas d——n'd queer; for instance, if a man has bow legs, he has queer gams, gams being cant for legs.

CHAUNT. Singing.

COPPER CLINKING. A knowing phrase, such as, what,

have you got no halfpence about you? Nor, I can't hear any copper clinking.

NICKS. How they have brought a German word into cant I know not, but nicks means nothing in the cant language.

GROPER. Pockets.

DADDLES. Hands.

KELTER. Money.

CRAP. Hanged.

SHOVE MY TRUNK. To go away. Shove my trunk. Trunk is the body.

HOP THE TWIG. Is pretty near the same as Shove the Trunk. It means to depart suddenly.

BLOWEN. A woman. A Rum Blowen. A pretty woman.

MIZZLE. Is sneaking, or running away. When they make their escape from the constable, I tipt him the rum mizzle.

SLANG BOYS. Boys of the slang; fellows who speak the slang language, which is the same as flash and cant, but the word slang is applied differently; when one asks the other to shake hands, that is, slang us your mauly. To exhibit any thing in a fair, such as a tall man, or a cow with two heads, that's called slanging, and the exhibitor is called the slang cull.

HOT. A mixed kind of liquor, of beer and gin, with egg, sugar, and nutmeg, drank mostly in night-houses, but when drank in a morning, is called flannel. This was a favorite liquor of the celebrated Ned Shuter's: I remember spending an evening with him, in company with that darling of his age, doctor Goldsmith; staying rather late, as we were seeing the doctor to his chambers in the Temple where he then lived, Shuter prevailed on him to step into one of these houses, just to see a little fun, as he called it, at the same time, assuring the doctor, that no harm might be apprehended, as he was well acquainted with the Cove and Covess, Slavey and Moll Slavey, that is, the landlord and landlady, man and maid servant; upon the strength of this, we beat our rounds till we arrived at the door of the house; in the middle of the door was a wicket, through which the landlord looked, and the moment he saw Shuter, without any questions the door flew

open as by enchantment; we entered; the doctor slipt down on the first seat he saw empty, Shuter ordered a quart of gin hot; we had no sooner tasted it but a voice saluted Shuter thus: "I say, master Shuter, when is your benefit? Come, tip us a chaunt, and hand us over a ticket, and here's a bobstick." Shuter took this man by the hand, and begged to introduce him to the doctor, which he did in the following manner: "Sit down by my friend; there, doctor, is a gentleman as well as myself, whose family has made some noise in the world; his father I knew, a drummer in the third regiment of guards, and his mother sold oysters at Billingsgate; he's likewise high borned, and deep learned; for he was borned in a garret, and bred in a night cellar." As I sat near, the doctor whispered me, to know whether I knew this gentleman Mr. Shuter had introduced; I replied, I had not that honour, when, immediately, a fellow came into the box, and in a kind of an under voice asked the person Mr. Shuter had introduced, "How many there were crap'd a Wednesday?" The other replied, "three." "Was there e'er a cock among them?" resumed the other, (meaning a fellow who died game.) "No, but an old pal of your's, which I did a particular piece of service to as he was going his journey; I took the liberty of troubling him with a line, which he had no sooner got about his neck, than I put my thumb under the bur of his left ear, and at the same time, as I descended from the cart, I gave him such a gallows snatch of the dew beaters, that he was dead near twenty minutes by the sheriff's watch before the other two. I don't recollect that I have crap'd a man better for this twelvemonth." The doctor beckoned to Shuter, and in the same breath cried out, "for Heaven's sake who is this man you have introduced to me?" "Who is he?" says Shuter; "why, he's squire Tollis, don't you know him?" "No, indeed," replied the doctor: "Why," answered Shuter, "the world vulgarly call him the hang-man, but here he is stiled the crap merchant." The doctor rose from his seat in great perturbation of mind, and exclaimed, "Good God! and have I been sitting in company all this while with a hang-man?" The doctor requested I would

see him out of the house, which I did, highly pleased with the conversation of two men, whose feelings of Nature so widely differed.

SCAMP. Scamp is going upon the highway: a foot scamp is a low fellow that stops you with a bludgeon, cutlass, or knife, and ill treats you; but the royal scamp is a gentleman highwayman who rides a good horse, seldom robs any people but those he thinks can well afford it; never shoots, cuts, nor maims.

SNACK THE BIT. To share the money.

ROLLING JOE. A kind of fellow who dresses smart, or what they term natty, some such phrase as this, such a one is a natty rolling, flashy blade: they all tend to the above purpose.

GLIMS. Eyes.

BUB AND GRUB. A mighty low expression, signifying victuals and drink.

A NED. A guinea.

KEN. Is a house.

DROP THE GLANTHEM. Parting with money.

GAMMON. Gammon and Patter is the language of cant, spoke among themselves; when one of them speaks well, another says, he gammons well, or he has got a great deal of rum patter.

DUBBER MUM'D. To keep your mouth shut or be obliged to hold your tongue.

HORNIES. Constables, watchmen, and peace officers.

TRAPS. Belonging to the rotation offices; when the magistrates send their men in pursuit of robbers, they say, the traps are after us.

SCOUTS. Men from the above offices, who are sent out as scouts, for the purpose of getting intelligence of robbers, &c.

BEAK-RUNNERS. The same description of men belonging to the above magistrates; the Beak, a term that was given to the late Sir John Fielding, the blind-beak.

PAL. A comrade, when highwaymen rob in pairs, they say such a one was his or my pal.

LOCK DO YOU CUT. Means by what way do you get your

livelihood now? Or, are you on the sneak? Or, what lock do you cut? or how do you work?

RUM SQUEEZE AT THE SPELL. A kind of harvest for pick-pockets. When the king goes to the play, and there is an overflow of the house, the Spell is cant for the theatre. Here it will be necessary to explain making of a stall, as they term it; one pick-pocket gets in the front and squeezes backwards, another behind you, and pushes forward, one of each side of you, which, if they can get your arms up, they will prevent your getting them down again, and then you are sure to be robbed of your watch, money, or pocket-book.

WIPE PRIGGING. Stealing of handkerchiefs.

TICK. Is your watch.

READER. Is a pocket-book; a person cannot be too careful of this article, particularly if he should have what they call any rum screens in it, that is, bank notes.

UP TO US. The party suspecting they are going to be robbed, tell the thieves it won't do, they are not to be done, they are up to you, &c.

NAPT A COUPLE OF BIRD'S EYE WIPES. He had stolen a couple of handkerchiefs of a particular pattern, called the Bird's eye.

FENCED. Is disposing of any thing stolen for a quarter of the value. In Field-lane, where the handkerchiefs are carried, there are a number of shops, called Fence-shops, where you may buy any number, quantity, or quality, particularly the day after the king goes to the house of lords, or to the opera, masquerade, &c.

COVE. The man of the house.

DOBBIN RIG. Dobbin is ribbon; going upon the dobbin, is a woman, dressed like a servant maid, no hat nor cloak on, a bunch of young dubs by her side, which are a bunch of small keys, a Queen Elizabeth in her maully, that is, the key to the street door in her hand, a cream-pot in the other; about eight o'clock of a winter's morning, she watches an apprentice taking down the shutters of some mercer's or milliner's shop, she steps up to him seemingly in a hurry, and wants to buy and

see some new fashioned ribbon, he no sooner puts a large drawer before her, that she may take her choice, but she disturbs the whole economy of it, by intermixing the colours, then desires him to cut her off a yard of such a colour, and a yard of such a colour, while the fool of an apprentice taking down the remainder of the window-shutters, or perhaps looking for a pair of scissors, the dobbin madam is working in her way, such as sinking a number of cants, which are the rolls of ribbon, into a large pocket made on purpose, and hung before her for the reception of them. It has been well known, that in the course of one morning they have got upon this rig three or four hundred yards of ribbon.

CANT OF DOBBIN. A roll of ribbon.

NOGGIN OF LIGHTNING. A quartern of gin.

LUMBER. A room.

TOLLIBON NAN. Tollibon in cant means the tongue. Women who have an art of rolling the tongue up in such a manner, as to make even the faculty believe they were born without one. Going upon the tollibon is a woman of this sort. This woman, as soon as she gets footing in a house, points to her mouth, and shews you what you think the stump of her tongue, then she points to her ears, and makes motions that she is deaf, another motion is made to get her pen, ink, and paper; she writes down, that though it has pleased God to deprive her of speaking and hearing, yet he has been sufficiently merciful to compensate for the loss of them, by giving her a power to look into the book of Fate, and telling people what good or ill they are born to, begs leave to cast the figure of your nativity, &c. A tollibon lady of this kind had introduced herself into the family of a justice of the peace in the county of Sussex, just for the sake of telling his wife and daughters their fortunes; the magistrate being a plain, honest, well-meaning man, sat smoking his pipe, and laughing at the credulity of his wife and daughters, when all of a sudden a man rode by the window, that the tollibon madam had formerly cohabited with, she forgetting herself, puts her head out of the window, which happened to be open, bawls out—"hip! hallo! I want to

speak with you; I have something very particular to say to you." When she brought her head from the window, the justice asked her quickly and sternly before she could recollect herself, how long she had been dumb? She answered, "five years, please your worship;" he immediately ordered his servant to fetch a constable, she dropped upon her knees, and begged for mercy, and at the intercession of his wife and daughters, he at last was prevailed upon to suffer the tolloboon lady to depart.

QUEER PLUNGERS. A very singular fraud practised upon that laudable and honourable institution, called the Humane Society. At the commencement of this charity, a landlord of a little ale house on the Surry-side of the Thames agreed with a fellow to take a boat at the other side of the river, and land opposite his door, but so to contrive that in getting out of the boat, he should fall over-board. When the landlord approached to assist in getting him on shore, (which actually was the case) and when the populace gathered around him, the Queer Plunger laid upon his back to all appearance dead. The landlord very humanely proposed to have him immediately taken into his house, and a surgeon sent for. As soon as the doctor came, the wonderful operation began to be performed, by rolling him upon the floor, putting salt upon the pit of his stomach, and making other experiments; the Queer Plunger began then to sigh in a very piteous manner, making a noise with his lips, and by degrees opened his mouth and uttered a word or two: by this time the secretary of the Humane Society, who had previously been sent for, arrived, and after enquiring into the nature of the accident, and the circumstances of the Queer Plunger, relieved him for the present, and acquainted him he must attend church on the ensuing Sunday, where there would be a charity sermon for the benefit of him, and several others, who (perhaps) have been restored to life in the same manner. The surgeon gets the premium which is allowed upon these occasions, besides his fame and abilities are spread in the world, by advertisements in the different papers, where public thanks are returned, with his name at large for his great skill

in being the means of restoring to life an unhappy fellow creature who had been dead a considerable time.—The landlord gets his share of public thanks as well as money for his timely assistance, and for his great humanity in permitting the body to be laid in his dining room, &c. The Queer Plunger, the surgeon, and the landlord, get upon this lock about ten guineas, and share the wack, being all alike and equally concerned in it.

RUNNING RUMBLERS. The running rumbler is a fellow belonging to a gang of pick-pockets, who, in order to give them an opportunity of working upon the prig and buz, that is, picking of pockets, gets a large grinding stone, which he rolls along the pavement, the passengers hearing the rumble, endeavour to get out of the way, for fear of its running against them, or over their toes; in this critical moment some of the gang give you the rum hustle, and at the same time snatch your watch, or pick your pocket of your purse, book, or handkerchief.

SMACKING SAM. A noted fellow, who on a trial will endeavour to prove an *alibi*, by swearing through as many bibles as could be packed up as high as St. Paul's. These kind of men attend the courts of law, particularly the Marshalsea; their price is five shillings for what they call mounting; they have been known to mount two or three times in one day; they have dresses for each character; a large wig, a tolerable hat, a good neckcloth, coat buttoned up tight; they often go bail for a person; when they are asked what their trade is, they immediately reply, a grocer, and swear themselves to be worth double the sum sued for; their bail is forthwith taken, and this genius is perhaps, no more than a green grocer, who lives in a cellar, and whose whole stock in trade, two or three gallons of sand, half a dozen birch brooms, and a bunch of turnips.

A COCK-A-BRASS. A fellow that stands at an alehouse door, when the gentlemen of the drop **SPEAK** to a man, as they phrase it; that is, pick him up and take him to the above alehouse to jump him, or do him upon the broads, which means,

cards: as soon as ever they mizzle, if the flat suspects he has been cheated, or more properly called robbed, he comes out in a great hurry to the door, and asks the cock-a-brass which way such men went, the cock-a-brass points out a contrary way, and tells him he heard somebody say as he was coming out of the door, that he should sup to-night at the Swan with Two Necks in Lad-lane. This is done in order that the deluded person should follow them in the streets, and that no suspicion should fall upon the house. The cock-a-brass is a fellow that can't work himself in their way, and therefore fit for nothing else, than this business of standing at the door, and acting in the manner described.

A SKY-LARKER. A journeyman bricklayer, or a bricklayer's labourer. This fellow after a stormy night, gets up very early the next morning, (as Richard says, is stirring with the lark) and finds out some house that has had a brick-bat blown off the chimney, or a tile from off the roof; then he provides himself with half a hod of mortar, a trowel, a couple of brick-bats, and two or three tiles, knocks at the door of the above house, and desires to speak to the master; when the master comes to the door, he says—"I see, Sir, you have had an accident this windy night, there is a brick-bat or two blown off your chimney, and two or three tiles carried away; if the wind continues to blow as hard to-night, you will stand a chance of having your chimney down, or your house unroofed; I was thinking, Sir, as I have got some mortar and a brick bat or two, with a few tiles, to put them on and fasten the rest; I'll do it all for a shilling; if you will let your maid shew me up to the top of the house, I'll get out upon the leads; I shan't be above half an hour about it." Now, it is most probable, this man belongs to a desperate gang of house-breakers, if so, he surveys the house, how, or in what manner it can be robbed, and reports it to the gang accordingly, and they insert it in a list, with many more for the like purpose, and nothing so likely as the house being robbed the same night: at any rate, the sky-larker is a thief, and will rob the house, somehow or other, by slipping into the chambers, &c.

MOLL SLAVY. A servant maid.

BOBSTICK OF RUM SLIM. That is a shilling's worth of punch. Slim is cant for punch.

ADAM'D. A person that is married.

RUM TOM PAT. A real clergyman.

FALL OF THE LEAF. The new mode of hanging. The culprit is brought out upon a stage, and placed upon a leaf, when the rope is fixed about his neck the leaf falls, and the body immediately becomes pendent. This is termed the fall of the leaf.

TUCK 'EM FAIR. The place of execution.

HE DIED DAMN'D HARD AND AS BOLD AS BRASS. An expression commonly used among the vulgar after returning from an execution.

HOBbled. A term when any of the gang is taken up, and committed for trial, to say, such a one is hobbled.

DID HIM OVER. This word is applied in many respects: A man, for instance, cast for death, the judge did him over; or a man that has been easily robbed at cards, &c. the sharp says, "I did him over."

CLINK. A silver tankard.

NAP THE BIB. A person crying.

SNOOZED. To sleep; a person that sleeps soundly is called a Rum Snooze. If he shams sleep to listen to conversation, then they say he is a Queer Rooster.

KID. Is a young boy: going upon the kid rig is watching boys who are sent with parcels, which they will pretend to hold for them while they go and give (pointing to some lady in a shop) that lady this letter: they hold the parcel for him and promise him a shilling when he comes back; in the mean time the thief runs away with the parcel.

FLASH OF LIGHTNING. A glass of gin.

CULL. Applied many ways, such as a rum cull, a queer cull, a rogue, thief, sharp, flat, &c.

DORSED. The place where a person sleeps, or a bed: I dorsed there last darkey.

LULLY PRIGGING. Stealing wet linen off the hedges.

HOBbled UPON THE LEG. A person transported or sent on board the hulks.

DUNCAN CAMPBELL'S FLOATING ACADEMY. The term these people give to the Justitia Hulk that Duncan Campbell is governor of at Woolwich.

NAPPING A CLINK. That is, stealing a silver tankard.

NAPT A COUPLE OF NEDS. To get two guineas.

BLUE PIGEON FLYING. Fellows who steal lead off houses, or cut pipes away. They will cut sometimes, that is, their knife, and cut a hundred weight of lead, which they wrap round their bodies next to the skin, this they call a bible, and what they steal and put in their pockets, they call a testament.

RUNNING GLAZIER. A fellow that gets a little round hat, an apron, a pane of glass in one hand, with a lump of putty stuck upon the corner of it; finds out what families have left town, knocks at the door, tells the house-keeper that he had orders to clean and mend the windows; but he no sooner begins cleaning and mending, than watching the first opportunity he robs the house.

DING A TICK OR A READER. The word ding is to pass any thing quick from one to another. Tick is a watch, and reader a pocket-book. The moment they have picked your pocket of either, one dings it to his pal, that is, his comrade, who sometimes passes it to another, and though you feel your watch gone, and suspect the person next to you, and have him searched, your property not being discovered to be about him, the magistrate, it is true, may commit him, so far as to order him upon some future day for re-examination; but by your not being able to swear he robbed you, nor the watch or book found upon him, in spite of fate he must be discharged.

NAPPER.—Head.

FINGERS.—Crooks.

FACE.—Mug.

LIPS.—Lispers.

EYES.—Peepers or ogles.

TEETH.—Pegs.

NOSE.—Snitch.

ARMS.—Smitters.

MOUTH.—Bone shop.

BODY.—Trunk.

NECK.—Scrag.

FEET. Heaters.—If his shoes are broke and his feet seen

through them, you'll hear one say to the other, twig his heaters out of their box-irons; box-irons being cant for shoes.

GENTLEMEN OF THE DROP. Are a set of people to be seen in all the great thoroughfare streets in London, some on one side of the way, and some on the other. They dress quite different, some like farmers and graziers, with a drab coat, a brown, two curl wig, boots, spurs, &c. others like walking jockeys, horse-dealers, tradesmen, gentlemen, mackaronies, &c. some speak Irish, some Welch, and others the West and North Country dialects; they often appear as raw countrymen, with a flapped hat, a false set of lank hair.

Their method of picking a person up is very clever; they are great physiognomists, and generally have a shrewd guess who will answer their purpose. As soon as ever they have set you, or scented you, and you are to be spoke to, one of them comes up to you, and pretends to know you, you say you don't know him; he then replies, why, is not your name so and so, and don't you come from such a place? you here imprudently answer, No, that's not my name, I live at such a place, mentioning the town or village, and my name is so and so, telling him at the same time your real name. The Drop-merchant having now fairly hooked you, by being made acquainted with your name and place of abode, makes some trifling excuse for his mistake, and leaves you; and immediately picks out from the gang a man from the same country as yourself, who can speak the dialect, and knows the town or place where you come from. Now comes the master-stroke. This fellow meets you, and with great warmth and a hearty shake of the hand, calls you by your christian and surname; not only comes countryman over you, but even namesake and relation; then of course your relation and you must drink together. He now takes you to a public house, the landlord of which is a thief, and belongs to the gang. When the thief has lumbered you, that is, got you into a room, the gentry begin to fall in one after another; some call for punch, some for porter, &c. All appear as strangers to each other; in a very little time the sham squire rolls in seemingly drunk, wants to know who has any money,

or who will play a game of all-fours for a guinea; your pretended friend whispers you, that the squire is drunk, and will soon lose three or four guineas, and if you will go his halves, he will play with him for a guinea. The squire pulls out handfulls of gold; this is done only to tempt you. The sharper tells you, if you will go out and buy a new pack of cards and go a crown or two with him, when you come back he will get the squire into another room; we may as well win twenty or thirty guineas of him as any body else. The squire and your pretended friend are now at play, and you go a crown or half a guinea. The first three or four games are intentionally lost by the squire in order to encourage you to bet largely, but in the course of an hour or so there will be a fatal change in the play, and you will find yourself betted and done out of all your money; and who have you to thank but yourself? And who can you complain to? If you were to bring the matter before a court of law, they will prove you bought, brought, and introduced the cards yourself with a view to take in the squire.

Now another drop genius is planted upon you, to turn you up, as they call it; he tells you that he is going to receive fifty pounds of an uncle, and if you will go with him, he will let you have ten or twenty pounds, and meet the squire in such a house in such a street, and play with him himself, and you shall go his halves, if you will persuade the squire to come to this place appointed: this is called nutting of you. You and your new friend set off to his uncle's, and after he has taken you two or three miles to a different part of the city, and through as many streets, back lanes, and alleys, as there are stones in the street, you arrive at his uncle's, as he is pleased to call him. The Drop merchant bids you not come in sight of the door for fear his uncle might see you and suspect something, bids you walk round the next corner, and he will be with you in less than a quarter of an hour; in the mean time, he slips up some alley or lane, and mizzles off, having turned you up; you on your part keep walking about for an hour, but no friend appearing, and your patience quite exhausted, you are induced to go to the uncle's yourself; after you have rung

the bell or knocked at the door, the servant comes to know your commands; you begin a cock and a bull story about your having lost forty guineas, and the gentleman's nephew that is in here told me he was to receive fifty pounds of his uncle, and promised to let you have twenty or thirty to try your luck again, as you had lost so much by cards, &c. this discourse with the servant brings the master of the house to the door, who is induced to think you some sharper come to inveigle his servant, &c. talks of sending for a constable; this frightens you away, and off you run; perhaps with the utmost difficulty you may find the house from whence you came. The sharpers perceive now you have not stood the turn up as well as they could wish; you, on your part, begin to think you have been cheated, or as I have observed before, more properly called robbed, talk of going to a justice of the peace &c. They then have recourse to one of the gang, who is called the ruffian. This fellow's sole business is to fight; he directly comes up to you and begins squaring himself, and asks you whether you want to rob the house, at the same time fetches you a spank on the head and knocks you down. If you will not go, the landlord tells you he will send out for a peace-officer, and have you taken into custody for bringing sharpers into his house, and breeding a riot, &c.

CALP.—Hat.

WIG.—Jasey.

HAIR.—Strummel.

NECKCLOTH.—Squeeze-clout.

SHIRT.—Lally.

HORSE.—Prad.

PISTOLS.—Barking-irons.

SHOES.—Hockey-dockeys,
or Box-irons.

BOOTS.—Heater cases.

TO WASH YOUR OWN SHIRT,
THAT IS,—dabble your lally.

GREAT COAT.—Upper Ben.

COAT.—Toggy.

WAISTCOAT.—Little Ben.

BREECHES.—Kickseys.

STOCKINGS.—Gam-cases.

SPURS.—Diggers.

WHIP.—Flogger.

FAWNY. An old, stale trick, called ring-dropping. A fellow gets a woman's pocket, with a hussive, pin-cushion, thimble and a ring; the fawny sees a credulous looking person coming along, who lets you pick it up, or, perhaps, picks it up

himself, then says, "you shall have half," begins examining of the contents; "some poor woman," says he, "that has lost her pocket: what is here? A thimble; and here is a ring; and her wedding ring too; aye! and here is a posy," begin to read the posy within-side the ring: "Love me and leave me not." "I dare say it is worth three or four and twenty shillings, however, as I can't stay, if you will give me eight or nine shillings you are welcome to my half, and keep the whole to yourself;" this you comply with, and you are now in possession of a ring, whose intrinsic value is worth about three halfpence.

There are two shops in London, that sell these kind of rings for this species of villainy only.

KNUCKLE. Going upon the knuckle is going a thieving, pickpocketing, &c. The knuckle is chiefly carried on at the lobbies of the House of Lords and Commons, or the different passages of the Theatres, &c.

FULL WACK. A person having his full wack, is, his share of what money is won at cards, &c. whether they play or not, or when they go a thieving together, to have his full share of the plunder. I'll have my wack, &c.

RUNNING SNAVEL. People who watch children of a Monday morning going to school with their money, satchel of books, bread and butter in their hands, and dinners in their basket, they coax them up some alley or passage under pretence of giving them marbles, &c. at the same time take every thing they have about them.

TWO BOBSTICKS OF SLIM.—Two bobsticks means two shillings; and slim is punch.

FLAG'S WORTH OF LIGHTNING.—Flag is fourpence; and lightning is gin.

BIT.—Money.

GUINEA.—Ned, quid, or ridge.

HALF A GUINEA.—Half a ned.

HALF A CROWN.—Half a bull.

CROWN.—A bull.

SHILLING.—A bobstick.

FIVE-PENCE.—Five win.

FOUR PENCE.—A flag.

THREE-PENCE.—Thruns.

TWO-PENCE.—A duce.

PENNY.—A win.

HALFPENNY.—A mag.

FARTHING.—A fadge.

SIX PENCE.—A bender, crook
or cripple.

PURSE. Sack. If he has twenty guineas in it, he is said to have twenty strike in his sack.

ROUE. A cant word signifying a noise made by some of the company, or a terrible quarrel kicked up, which is called a bloody Roue.

VILLAGE HUSTLER. A bustling fellow that has such a propensity to thieving, that whatever place he is in he will not go to bed till he has robbed somebody, from the dish-clout in the sink-hole, to the diamond ring off the lady's toilet.

CHAUNTED UPON THE LEER. Chaunted is cant for a person being advertised; leer is cant for a newspaper; if one sees another advertised, it is said, he is chaunted upon the leer.

SNITCH UPON US. To tell who are the sharps, a character held in the highest detestation among them. The snitcher often informs against them: if he stands by and sees any money won, if they don't give him his wack, that is, a part of it, he will follow the person out of the house, and tell him how he has been cheated, robbed, &c. and if you will give him something, he will tell you their names, and the landlord's name of the house, &c.

FIX US. Meaning to snitch upon a person by putting them into the hands of justice, called fixing them, &c.

LAP FEEDER. A silver tea spoon.

GOBSTICK. A silver table spoon.

PRIG'D. To thieve.

FRISK'D. A knowing term used among traps, scouts, and runners, when they take a person up on suspicion. They frisk him, that is, search him to find pawn-brokers duplicates, turn-pike tickets, writings, or property that may tend to a discovery.

WIPE. Handkerchief.

FAM. A gold ring.

TICK. A watch.

GAMMON AND PATTER. Jaw talk, &c.

P. S.

POSTSCRIPTUM: Irresistible Bet Canning appealed to me no less than to Edmund Pearson and many another epicure in mystery. In 1943 I started out to do a fictitious recreation of her case. Casting about for a startling explanation which would at the same time be consonant with the facts, I woke out of sleep one morning with the solution formed in my mind. Two hours in the library showed me that my subconscious mind had solved this baffling old mystery, not fictitiously or in fun, but in sober fact. Everything known about Bet Canning and her crew confirms it. Of my solution I will only say here that it goes along with Edmund Pearson and beyond him. I realized that the story of Elizabeth as I saw it was not a short bit of fiction, but a book. That book came into being as *Elizabeth Is Missing* (Knopf, 1945).

But there was still the short story which I had begun to write, and abandoned. Last year I went back to it. It was a story that carried inherent in it a dramatic fictitious ending. It only wanted a little relativity in time to bring it within the orbit of my real-life detector of fictitious mysteries, Dr. Sam: Johnson. I have chosen to print it here, for the first time anywhere, as an element in a unique glimpse behind the scenes of a mystery writer's mind. You have read Bet Canning's story as it was. Now here it is as it might have been if Dr. Sam: Johnson had turned upon it the full beam of his penetrating intellect.

The Disappearing Servant Wench

BY LILLIAN DE LA TORRE

 ELIZABETH CANNING went from her Friends between nine and ten on *Monday Night*, being New Year's Night; betwixt *Houndsditch* & *Bishopsgate*, fresh-colour'd, pitted with y^e Small-pox, high Forehead, light Eyebrows, about five foot high, well-set, had on a purple masquerade-stuff Gown, black stuff Petticoat, a white Chip Hat bound round with green, white Apron and Handkerchief, blue Stockings, and leather Shoes. Any Coachman, who remembers taking up such a Person, and can give any Account where she is, shall have Two Guineas Reward, to be paid by Mrs. *Canning*, in *Aldermanbury Postern*, Sawyer, which will greatly satisfy her Mother.

These lines were roughly printed in the form of a handbill. My friend Dr. Sam: Johnson, *detector* of crime and chicane, produced the dog's-eared scrap of paper from the accumulations in his untidy book-garret in his house in Johnson's Court. I perused it with care.

"Pray, sir," I ventured, "have you still, in April, hopes of finding the girl? Sure the thing is all too plain. The lass hath been caught up and carried off by some rakish fellow, and now ten to one she plies a shameful trade by Covent Garden, and shames to return to her mother."

"No, sir, there you are out. The girl has returned to her home long since."

"Why then, sir, the girl has told her tale, and there's an end on't."

"Yes, sir, the girl has told her tale indeed, and thence arises the puzzle."

"Pray tell it me."

"Why, thus sir: 'Twas King Charles's Martyrdom Eve, eight and twenty days after that fatal New Year's Day, and the Sawyer's 'prentice was just upon locking the door for the night, when there comes a faint knocking. 'Tis Elizabeth Canning! She is sodden, and starving, and exhausted and blue, and her clothes are gone. Good lack, cries Goody Canning, Bet, what has happened to you? And Bet tells her tale. Stay, you shall hear it as she told it in Bow Street."

From a mass of old printed papers my bulky friend drew a thin pamphlet, and from it began to read out in his sonorous voice:

"The INFORMATION of Elizabeth Canning of Alder-manbury Postern, London, Spinster.

"This Informant, upon her Oath, saith, that on Monday, the First Day of January last past, she, this Informant, went to see her Uncle and Aunt, who live at Salt-Petre Bank, near Rosemary-Lane, in the County of Middlesex, and continued with them until the Evening; and saith, That upon her Return home, about Half an Hour after Nine, being opposite Bethlehem-gate in Moorfields, she, this Informant, was seized by two men (whose Names are unknown to her, this Informant) who both had brown Bob-wigs on, and drab-coloured Great-coats; one of whom held her, this Informant, whilst the other, feloniously and violently, took from her one Shaving Hat, one Stuff Gown, and one Linen Apron, which she had on; and also, Half a Guinea in Gold, and three Shillings in Silver; and then he that held her threatened to do for this Informant. And this Informant saith, That, immediately after, they, the same two Men, violently took hold of her, and dragged her up into the Gravel-walk that leads down to the said Gate, and about the Middle thereof, he the said Man, that first held her, gave

her, with his Fist, a very violent Blow upon the right Temple, which threw her into a Fit, and deprived her of her Senses (which Fits, she, this Informant, saith she is accustomed and subject to, upon being frightened, and that they often continue for six or seven Hours. . . .")

"Stay, stay, sir," I implored, "for here is such a foyson of this Informant, and the said Informant, as carries me back to the Court of Session, whence I am newly a truant; so pray, sir, give me the straight of the story without circumlocution."

"Well, then, sir: Bet Canning told a horrid tale, how these pandours in bob-wigs snatched her up by Bedlam Gate, and carried her off in her fit. They carried her off to a bawdy-house in the suburbs, said Bet; and there an old woman took her by the hand, and My dear, says she, will you go our way? For if you do, you shall have fine clothes. No, says Bet. Straightway the old woman takes up a carving-knife, and cuts the lace of the girl's stays, which the men in bob-wigs had overlooked, and takes them from her. Then she feels of the girl's petticoats. These are of no use, says she, I'll give you them. With that she gives the girl a great slap in the chops, and turns her up a pair of stairs, half-naked as she was, into a kind of loft or shuffleboard room. There, said Betty, she found some old mouldy bread and a broken jug full of water; but for which, and a penny minced pye which she happened to have by her, she had starved to death. For eight-and-twenty days no soul came nigh her. On the five-and-twentieth day the bread was all gone. On the seven-and-twentieth day she ate her minced pye; and on the eight-and-twentieth day she broke out at the window and ran away home."

"Sure, sir," I cried, "these were no Christians, but heathen Turks, so to misuse a poor innocent girl!"

"Yet you will allow, sir, that 'tis an excess of Christianity, thus to suffer for eight-and-twenty days an unnecessary martyrdom; for she who can break out at a window on the eight-and-twentieth day of fasting, might have done so with less fatigue on the first."

"Heathen Turks," I reiterated hotly, "and I heartily wish they may have been laid by the heels."

"As to Turks, Bozzy, you are not so far out; and as to laying by the heels, they were so. And a precious crew they proved to be, being the old bawd, Susannah Wells by name, and a parcel of gipsies, her lodgers. They carried the girl to the suburbs to identify the people and the place. This is the house, says Bet; this is the shuffleboard room; and these are the miscreants, says she, pointing at the gipsies. It was the old gipsy woman cut my stays; and I think, says she, I *think* the gipsy man her son was one of the men in bob-wigs; while as to the two gipsy wenches her daughters, though they laughed at me they did nothing to me. As to the old bawd, I don't know that ever I saw her in my life before."

"I hope," cried I, "that the whole precious crew have long since had their just deserts."

"No, sir," replied my friend coolly, "'tis true, the world was once of your mind; Wells was branded in the hand, and the old gipsy woman was to hang for the stays. But the old woman found friends, who have so managed, that she had the King's pardon, and placed the girl in the dock in her stead."

"Upon what charge?" I cried.

"Upon a charge of perjury."

"Monstrous!" I exclaimed angrily. "How mean you, friends? The publican of some ale-house under a hedge?"

"No, sir," replied Dr. Johnson. "I will name but one: the Lord Mayor of London."

I gaped.

"You have wished to see the sights of London," remarked my friend. "Here is one you are not to pass by. The girl takes her trial today."

Now it was clear why my friend had caused me to hear the girl's story. The curtain was about to rise on a new act of the drama.

"Will you come, sir?"

"No, sir. I am too old and too thick in the middle to batter my way into the press at the Old Bailey."

I was young and spry. I clapped on my three-cornered hat and made off down Fleet Street to the Sessions House in the ancient street known as the Old Bailey.

Before I had turned the corner a muttering sound told me of the crowd that was milling uneasily in the paved court-yard. I was not to be daunted. I butted and pushed my way until I stood, half-suffocated, under the balcony and close by the dock.

On the long bench at the front sat the Justices of Oyer and Terminer, the lawyers in robes, the aldermen with their chains of office about their necks. On the floor before them a spry man with his big-wig pushed back was talking in brisk tenor tones. But I had no eyes for them.

On the raised platform of the dock, clinging to the rail that fenced it, stood the girl. She was a stocky chit, no higher than five feet, drest in a clean linnen gown. She wore buckled shoes and a decent lawn kerchief, and her plain cap was fastened under her chin. The light fell on her pink, expressionless face. The spry lawyer was describing her in unflattering terms as a liar for profit; but the large blue eyes never flickered. Elizabeth Canning looked at him as if he weren't there at all.

Then her eyes shifted, and I followed her gaze. Seated to one side, in a large armed chair, sat the most hideous old hag I had ever had the misfortune to see. She was bent, and tremulous, and swarthy. Swathing clouts half-hid a face like a night-mare. She had a great frog's mouth smeared all over the lower half of her face. Her chin was aflame with the purple scars of an old disease, and her swarthy hooked nose jutted over all. This was Mary Squires, the gipsy beldame. She was attended by a sparkling dark girl and a trim-built young gipsy man.

I could not read the stolid girl's expression, as she looked at her enemy. It held neither indignation nor remorse, but something more like puzzlement.

For ten mortal hours I stood on my feet as the gipsy's witnesses followed one another on the stand.

"How is it with Canning?" asked Dr. Johnson as I supped with him. "Is she cast?"

"No, sir," I replied. "There are prosecution witnesses still to come, spare the defence; for length this trial bids fair to make history."

"Pray, how will it go?"

"Sir," I replied, "ill, I fear. Here have been forty witnesses come up from Dorset to swear an alibi for yonder gipsy hag. She was strolling, they will stand to it, through the Dorset market-towns peddling such smuggled goods as she might come by in the sea-ports. Here has been a most respectable witness, an exciseman, who will swear it, that they lay in the excise office at Abbotsbury on the very night. Here have been landlords of inns from Abbotsbury to London to trace them on their way, bar only a four-days' journey from Coombe to Basingstoke. They came to Enfield full three weeks after Canning absconded. How 'tis managed I know not, but the girl is devoted to doom."

A knocking interrupted my discourse. The knocker proved to be a heavy-set red-faced man. He was accompanied by a younger man, a spindle-shanked sandy fellow with a long nose. Between them they supported a weeping woman. The woman was fortyish, and ample to overflowing.

The sandy young man burst immediately into speech.

"Robert Scarrat, hartshorn-rasper, at your service, sir, which I rasps hartshorn on a piece basis for Mrs. Waller of Old 'Change, and her son is tenant to Mrs. Canning here."

The weeping woman snuffled and confirmed the hartshorn-rasper with a nod.

"This here," the nervous strident tones hurried on, "is by name John Wintlebury, as is landlord of the Weavers Arms, and Bet Canning was a servant in his house."

"'Tis a good wench," rumbled the publican.

"Nevertheless they have contrived her ruin among them," cried the woman, "and will transport her to the plantations—unless you, sir, would undertake to clear up the matter."

"You must tell me," replied my friend, "what they are saying about her."

"'Tis never true that I hid her for my gain," cried out the weeping mother, smearing her bleared eyes with a thick finger, "for I never had rest, day nor night, for wondering where she was. Mostly I thought her dead in Houndsditch, sir, or caught up by some rakish young fellow. I had dreams and

wandering thoughts, and I prayed day and night to have a vision of her. But the cunning man said—”

“The cunning man?”

“A mere piece of woman’s folly, sir,” muttered the inn-keeper, but Mrs. Canning paid him no mind.

“The cunning man in the Old Bailey. I went to him to have news of her, he had a black wig over his face.”

“What said he?”

“Not a word, sir, only wrote, scribble, scribble, scribble along. He said, an old black woman had my daughter, and she would return soon.”

“Ay,” chimed in the hartshorn-rasper, his prominent hazel eyes rolling with superstitious awe, “is’t not strange, sir?”

Mrs. Canning shuddered, and sobbed harder than ever. The landlord laid his hand on the woman’s arm.

“Be easy, ma’am,” he said gently, “for we know Bet’s a good girl, and Dr. Johnson will soon make the matter clear. No need to take the hystericks over it.”

The woman moaned. Scarrat took up the tale.

“Nor ’tis not true,” he went on, “that I went off with the girl for my pleasure, for she was unknown to me.”

“Ay,” seconded the landlord, “for all the time she lived in my house, she was modest and shy, and would scarce so much as go to the door to speak to a man; and though Mr. Scarrat frequented the house, they never exchanged a word.”

“And,” cried the spindly man, growing hot, “as to my forging this tale, out of revenge against the bawd, ’tis false as Hell, though indeed I owe the creature no kindness.”

“A notorious woman,” said Wintlebury, “I knew of her infamous brothel when I lived and courted in Hertford.”

“Oh, pray, pray, Dr. Johnson,” sobbed out the weeping mother, “will not you help us?”

“Do, sir,” I seconded. “Could you but see the vile face of the gipsy hag, you would rush to the girl’s defence.”

“As to faces,” replied my friend, “there’s no art to find in them the mind’s construction; and as to helping, if I must come down to the Old Bailey, ’twill not do.”

The fat woman gave a howl and fell to the floor in a paroxysm. There was instant confusion. The fat friend and the thin one fell to slapping her wrists, while I applied under her snubby nose the hartshorn-bottle which was perhaps the fruit of Mr. Scarrat's endeavours.

When she had gasped and sat up, I turned to my kindly friend.

"Pray give your assistance," I begged. "I will be your deputy to the Old Bailey."

My friend accepted of my offer, and the friends of Canning departed in better cheer.

Only the fame of my companion gained us access to the gipsy. She sat in the best room of the White Horse, in the Haymarket, and regarded us sardonically with black, beady eyes. She was surrounded by a court of Dorsetshire fishermen, King's landwaiters, and gipsies in leather breeches. Her pretty daughter sat hand in hand with a tall man in fustian; I recognized with a start one of the principal witnesses for the prosecution, a cordwainer of Dorset. A black-browed little raisin of a man turned out to be the girl's uncle, Samuel Squires, a landwaiter of the customs right here in London and a gipsy of considerable influence.

Dr. Johnson ran a lowering eye over the motley crew; the men of the customs particularly took his eye. Then he waved them all away, and to my relief they went.

"Now, ma'am," says Dr. Johnson, "out with it. There's more in this than meets the eye."

The beady eyes measured him.

"I will confess," said the rusty voice.

I thrilled to my toes. The girl was saved!

"I'll confess. Though I have passed myself for a strolling pedlar, I am in reality—"

Dr. Johnson leaned forward.

"I am in reality—a *witch*. I can be present at *two* places at one time," whispered the old beldame with hoarse and ostentatious caution, "and though all these people saw me in Dorset,

I nevertheless carried Canning to Enfield on my *broom-stick*—”

Dr. Johnson cut short her triumphant cackle by rising to his feet.

“Have a care, ma’am,” he said angrily, “I am not to be trifled with.”

The old hag leaned back and laughed in his face.

“I know you are no witch,” my friend went on grimly, “but I will tell you what you are.”

He spoke three words in her ear. Her face changed. She looked at him with more respect.

“Ah,” she said, “I see you are in the councils of the great.”

“I can see a church by daylight,” replied Johnson as we withdrew.

I made off, being engaged to dine with some ladies in St. James’s, but Dr. Johnson turned into the tap-room and lingered.

“Alack, Mr. Boswell,” he told me when again we met. “Alas for Bet Canning, the rusticks are honest. I had their story over a can of ale, and with such a wealth of detail as can scarce be forgery. The honest cordwainer loves the gipsy wench; he dallied eight days in their company at Abbotsbury, and when they departed he followed them on the road. There are landlords to swear to them all, and the things they saw and the meals they ate. So rich is the tale, it must be more than mendacious invention.”

“Yet who pays,” I cried, “who pays the scot of the poor gipsy pedlar and her forty witnesses at the White Horse in the Haymarket? Who keeps them in victuals and gin?”

“My Lord Mayor, ’tis said,” replied my companion. “But come, Mr. Boswell, let me know your mind: shall we push forward and uncover the truth, wherever it lies? Or shall we leave Bet Canning to her luck with the jury?”

“Let us wait,” I replied uneasily, “and see.”

I filled the days of waiting in the court-room of the Old Bailey, where each day the girl sat in the dock with her wrists crossed before her, and looked on without expression while witnesses called her liar or martyr.

"How goes the trial, Bozzy?" demanded my friend as I returned bedraggled from another day's session.

"Ill, for the girl, ill," I replied dejectedly. "You may know how ill, when I tell you that the Lord Mayor was pelted by the resentful Canningite rabble as he came away from the Sessions-house. The girl has been made to appear a liar. Before the sitting Aldermen, so he has sworn, she described her prison to be little, square, and dark. Then they took her to Enfield; when it appeared that the room she swore to was long and light, with many other contradictions. I know not what to think."

"A starved girl, after long imprisonment, may surely exhibit some confusion," suggested Dr. Johnson thoughtfully.

"There is more," I replied. "From Enfield came many witnesses, who swore that they visited her supposed prison during that month, and saw there no such person as Elizabeth Canning."

"What said the girl to this?"

"Never a word, save once. 'Twas a son of Wells's testified, he stepped into the shuffleboard room to lay by his tools, for he is a carpenter, and there was no soul there save the labouring man that lodged there. Bet Canning leaned forward, and scanned him closely. She frowned, and looked him up and down. *I never saw him before, as I know of*, says she."

"Why did she so?"

"Who can tell? 'Tis a strange wench. Just so, by the evidence, did she comport herself when they took her to Enfield: would not be sure of the gipsy man, could not be sure she had ever seen Wells. Only the gipsy woman she swore to without hesitation. They report strange things of the girl, too, in Wells's loft. *Do you remember that six-foot nest of drawers?* says they. *I never saw it before*, says Miss. *Do you remember the hay and the saddles stored up here?* says they. She scratches her head. *I will not swear*, says she, *but there is more hay. As to the saddles, I remember one only. But there was a grate*, says she. *O no*, says they, *look for yourself. There's no grate and never has been: look at the cobwebs. There was*

a grate, says she, and from it I took the rags I wore when I fled. There was never a grate, says they."

"Is it so!" cried my venerable friend. "Here is no liar, but one trying to speak the truth. Bozzy, we must save this girl!"

I stared. The evidence, that had shaken my faith in the girl, had spoken quite otherwise to him. It had spoken with such clear moral force and conviction that it stirred his great bulk, and brought it next morning into the court-room of the Old Bailey.

He cleared his way through the press like a bailiff, with jerks of his sturdy oak staff. We were in time to hear the defence begin. The crowd murmured in sympathy as Bet's sad story was repeated by her friends as they had heard it from her on that Monday in January. All her natural functions were suspended, related the apothecary in sepulchral tones, the whole time of her imprisonment; she was very faint and weak, and the black-and-blue marks never went off for a month afterwards. My venerable friend shook his head from side to side, and clicked his tongue.

Burning glances of sympathy were levelled at the abused girl where she sat impassive in the dock as the story was told. They changed to looks of triumph as the defence brought aces out of their sleeves—a witness who had seen the girl led past his turnpike, in tears, by a pair of ruffians; three persons who had seen the bedraggled creature returning in the misty evening.

Dr. Johnson, seated on a bench with his chin on his staff, frowned and shook his head.

"How can this help?" he muttered. "The girl swore she was dragged off in a fit. Now we find she walked by the turnpike. Where is truth to be found?"

The defence rested.

It was three o'clock the next morning when I knocked up my friend.

"The girl is cast!" I told him. "She will be transported."

"Cast!" exclaimed my friend. "What this girl has been, I know not; but she is no perjurer."

A double knock announced a later walker than I. Again it was John Wintlebury and Robert Scarrat.

"You must help us!" cried the hartshorn-rasper. "Can you give us no hope?"

"Only this, that the girl is innocent," replied my friend. "I will do what I can. Where is the girl?"

"Alack," exclaimed the volatile Scarrat, "in Newgate."

"Then we must have her out."

That was easier said than done, but Johnson managed it. Scarrat carried the request. Meanwhile, off went the black boy Francis to the White Horse. He came back with a note:

"She says she will come, if only to laugh.
Ma: Squires"

The old gipsy woman herself was not far behind. Next to arrive was Mother Wells. She came supported by the carpenter son. My friend received his curious callers with solemn dignity, and offered them cakes and port. The wrinkled old bawd guzzled hers with coarse greed.

It was still dark night when a sedan-chair turned into Johnson's Court. It was attended by two turnkeys and followed by our friends, once again supporting between them the high-strung matron. All three tenderly extracted from the chair the stocky person of Elizabeth Canning, and so she was assisted up the stair.

Dr. Johnson took her hand.

"Do not be afraid, my dear."

"I am not afraid," said Bet Canning.

She looked levelly at the hideous old gipsy hag, then at the bawd. The latter wiped a drool of port off her chin. Dr. Johnson handed the girl to a chair, her friends found places, and a hush fell as everyone in the room looked toward my learned friend.

"My dear," said Dr. Johnson, addressing himself to the girl, "there are those who think you are lying. I do not think you are lying."

"Thank you, sir."

The gipsy beldame, a mere huddle of rags except for her bright black eyes, snorted.

"But, my dear," my friend continued quietly, "there is much that is dark, much that you have not been able to tell us."

"I have told," said Bet Canning clearly, "all that I know."

"We must look further, then. There is one in this cause," said Dr. Johnson, "who seemed a knowledgeable man."

I leaned forward.

"Who?"

"The cunning man," replied my learned friend solemnly. "He knew where Elizabeth was, and he wrote it down, scribble, scribble, scribble along. He was right. I would have consulted him myself, but he is not to be found. There is no conjurer in the Old Bailey."

"I saw him there myself," cried Mrs. Canning. "He had his wig over his face; and when he lighted up the candles, he frightened me, and I could not stay for more."

"Well, well, he is gone away from thence, he is no longer to be consulted. We must make do without him."

He produced a leather case, which being opened revealed a gleaming polished ball of some black substance.

"This," said Dr. Johnson solemnly, "is the famous Black Stone of Dr. Dee the alchemist. I had it of Mr. Walpole against this night's purpose. Into it," he lowered his sonorous voice another pitch, "the alchemist used to call his spirits, and they revealed the truth to him."

Nobody spoke.

Dr. Johnson extinguished the candles, all but one, which gleamed fitfully on the table, accentuating rather than piercing the darkness. For a moment there was dead silence.

"Before the spirits speak," said Dr. Johnson, "has no one a word to tell us?"

I heard somebody gasp. The old gipsy was shaking and muttering to herself, it might have been a charm or an incantation. Mrs. Canning was crying again, in long shuddering gasps, and the hartshorn-rasper was twitching where he sat. Only the stolid inn-keeper and the cynical old bawd preserved an unbroken calm.

Elizabeth Canning's gaze caught and hung on the gleaming speculum. Her plain face was white as paper.

"Pray, my girl," said Dr. Johnson gently, "look into the magick stone of Dr. Dee, and tell us what you see."

"I see nothing," she faltered.

"You will see the truth," said my friend. "Look well, and tell us what you see."

The girl stared into the polished surface, scarcely seeming to breathe. Her eyes contracted to pin-points. She sat rigid.

"It is the night of January 1," breathed my friend in the silence. "Do you see Elizabeth Canning?"

"I see her."

The voice was tight and high, and seemed to come from a long way off.

"I see Elizabeth Canning. She is walking between two men, and weeping. It is a road, with water in it. Now they turn into a house, there is an old woman there."

"Swarthy and black?"

"No, grey and wrinkled. She takes away her clothes, and puts her into a room."

"Without any furniture?"

"No," replied the trance-like voice. "No, it is the best bedroom. The door opens, and the man comes in. Now Elizabeth can see his face. It is he. It is the same man who wanted Elizabeth to do the bad thing, always and always he was at her elbow saying it to her, and she would not. Now he is here to do it, and Elizabeth cannot help herself."

In a violent shudder the dreaming voice died away. For a moment there was silence in the room.

"Here," muttered Wintlebury finally, "you must stop this, sir, you've bewitched the girl to her hurt. Who knows what she'll say?"

"She'll say the truth," said Dr. Johnson sharply. "Be silent, sir, and listen."

He spoke soothingly to the rigid girl.

"It is the eve of King Charles's Martyrdom. Do you see Elizabeth Canning?"

"I see her."

"Where is she?"

"She is in the loft. The wicked man has left her behind, they have taken away her clothes, she cannot eat for shame. Because she would not do the bad thing with other men, they have beaten her and thrust her into the loft. She wants to go home, but she does not know where home is. She has forgotten her name. She has forgotten everything. She is very wretched."

Again the level voice died away.

"And then?"

The polished ball gleamed in the candlelight. The girl's eyes were like pin-points.

"And then she hears her name spoken, and she knows it is hers. She looks down into the kitchen and sees the ugly-face gipsy. She is hungry and cold and afraid. The minced pye is still in the pocket of her torn petticoat; it is stale and dry, but she eats it. She takes an old rag from the fireplace to wrap herself in, and breaks out at the window, and runs away home."

"But the grate?" I struck in.

"A saw across the fireplace," said a quiet voice in my ear. It was the young carpenter. "My cross-cut saw."

"She runs away home. They ask where she has been for four weeks; but she has forgotten. Only it seems to her that she was somewhere hungry and cold, and she has been somehow harmed, the ugly-face woman must have done it, and her clothes are gone; so she tells them as best she can what must have happened, and they believe her, and are very angry. Even the man who did the bad thing to her, he is angry too, and wants the gipsy hanged. Elizabeth has forgotten what he did to her; she thinks he is her friend."

"The man," Dr. Johnson leaned forward gently, "who was the man?"

"That's enough of this flummery," came an angry voice. "Can't you see that the girl is mad?"

A rough hand struck aside the magick speculum of Dr. Dee. Elizabeth Canning looked up into an out-thrust face, somehow distorted in the flickering light of the candle from below, and recoiled with scream after scream of terror. Then

the candle flame was struck out, and footsteps clattered on the stair.

"Let him go," said Dr. Johnson. "Mr. John Wintlebury is not the first to enforce his desires on a virtuous serving-wench, and I fear there's no law to touch him."

"I'll touch him," cried the hartshorn-rasper violently. "I'll—I'll rasp him!"

He held the shuddering girl tight against his shoulder. He touched her pale hair.

"She's not mad, sir?" he pleaded.

"Not the least in the world," replied my friend, "yet hers is a strange affliction. The learned call it the catalepsy. One so afflicted may preach, or prophesy, or fast without hunger, or cut his flesh with knives, and not feel it; or fall unconscious and lie as the dead; or believe the body's functions to be pretermitted; or they may upon great suffering or shame forget who they are, and wander homeless until they remember. It was Mr. John Wintlebury's good luck that the wronged girl forgot him and the wrong he did her, and even herself, for very shame."

"And my bad luck," croaked the gipsy crone, "for the story that came from her disturbed mind put me into jeopardy of my life."

"You were never in jeopardy, being what you are," returned Dr. Johnson.

"What are you?" I burst out uncontrollably.

"A customs spy," replied the old witch, "and a good one, young man. Who'd ever suspect the old gipsy beggar when she came nosing about the barns? I knew every smugglers' lay on that coast. O no, me Lord Treasurer wouldn't have let the old gipsy woman hang. 'Twas but a few nights lying hard in gaol; he could not move openly in the matter, for fear of betraying me and mine to the smugglers. In the end me Lord Mayor had his orders, and I was enlarged."

"And Mother Wells?" I touched flint and steel to the candle.

"It all happened," my friend replied, "of course, in her

house of assignation; it was she who beat the girl when she would not go the way of the house."

I advanced the candle toward the old bawd's corner. The lees of her port were there in the glass, but the old woman was gone.

"Upon her," remarked Dr. Johnson, "justice has been done. You will remember that, although Mary Squires was pardoned, Susannah Wells has been branded on the hand for her part in the work."

Elizabeth Canning's sobs had died away, and she lay in a sleep like death against the hartshorn-rasper's shoulder.

"When she awakes," he asked, "will she remember?"

"I cannot say," replied my learned friend. "Perhaps she will remember everything. If not, you must tell her, gently, over and over, until the two times join into one in her mind and she no longer has those agonizing moments of trying to remember, like the time in the loft, or in the dock when she struggled to remember the young carpenter."

He pulled aside the heavy curtains and let in the dawn.

"Tomorrow," he said, "I will wait upon the Secretary of State."

The sun was up as the sleepy turnkeys roused to help lift the unconscious girl back into the sedan-chair. My benevolent friend followed it with his eyes to the mouth of the court.

"The issue of this night's sitting," he remarked with a half-smile, "has exceeded expectation. I reasoned that someone close to the girl knew where she was, else why the cunning man with the muffled face, who must write his predictions? Clearly his face and his voice were known. I brought her friends together, and produced a conjuration of my own. I hoped that superstition would affright one of them, and even that the girl might take courage and 'see' in the speculum what perhaps she had been frightened from telling. I never guessed that so strange is the mind in a catalepsy that it will see truly, as it were in a sleep, what it has forgotten in waking."

Book Talk

in a letter to Elizabeth Bullock

Ma'am:

Upon the occasion of our convivial Meeting in New-York, you was pleased to honour me with your Commands. You desired me to communicate to you, some Particulars about the Literature of Villainy in the eighteenth Century. Pray accept of these few Lines, until I can offer you a Disquisition better worthy your Acceptance.

In some such terms as these, the eighteenth-century compiler of some Newgate Calendar or Malefactors' Register might have opened a dissertation which he designed to be informal rather than learned. I borrow the device to tell you, without pretence of completeness, something about the reading upon which my collection of *Villainy Detected* is based.

In the eighteenth century the publication of books, pamphlets, and broadsides about criminals was a thriving business. No execution was complete without the presence of the seller of last dying speeches; you may see her on the jacket of this book, elbowing her way in the very forefront of the mob that has gathered to see Hogarth's Idle 'Prentice hanged at Tyburn. She is not at all disturbed by the fact that the victim, still moving towards the distant gallows in the ill-omened cart, has not yet opened his mouth for the last time. That does not prevent her from having an advance copy of his remarks. The printer has seen to that.

The printer is probably John Applebee, of Bolt-Court, near the Leg Tavern, Fleet Street, who specialized in such publications; though he had no way of preventing any other

printer who chose from getting in on the racket. His line of business had many advantages. For one thing, the free advertising afforded in each procession to Tyburn was tremendous, and the printer was well aware of it. One of his best properties, Jack Sheppard, actually paused in the shadow of the gallows to hand the manuscript of his life story to "Mr. Applebee's man"—one rather hopes it was that one of Mr. Applebee's men known as Daniel DeFoe. DeFoe certainly wrote one, and probably two, of the many Sheppard pamphlets. Printers were still making money from his words one hundred years later. The chap-book which I reprint, dating, by the printing style, from about 1824, contains a very large measure of DeFoe.

Eight times a year the condemned hold was emptied of its victims. Eight times a year Mr. Applebee and his successors brought out an account of the behavior, confession, and last dying words of the victims, as piously described by the ordinary, or chaplain, of Newgate. If there was a particularly sensational trial, a "Sessions Paper" reproduced in print the official short-hand record; and you might count on a shower of controversial pamphlets, with paragraphs and full-dress reports in the periodicals. The stately *Gentleman's Magazine* never missed a good criminal case.

For an example, take the case of Elizabeth Canning. In the bibliography to *Elizabeth Is Missing* (which you may read, enriched with full notes, in *University of Colorado Studies*, Series B, Vol. 2, No. 4, October, 1945) I list no less than fifty-four contemporary pamphlets, broadsides, and newspaper items. Mary Blandy and Captain Donellan were scarcely less notorious than Elizabeth, and Jack Sheppard in the long run was best-publicized of all.

The usefulness of the criminal to the press did not end with his day on the scaffold. When business was slack, some garreteer could always be set to work compiling a new set of Newgate Lives, in four volumes or five, with all the old lives scarcely revised from the last edition and a few new ones thrown together at the end, the illustrations generally copied from the last set, and a new sensational title to make the whole

look like a new work. Titles were fearful and wonderful. You will find a sample in the full title of *The Annals of Newgate*, which I have printed at large in the introduction to "A Song on the Murder of Mr. Hays," on page 50. Here is a list of some others that I know about, most of which I have examined in one or another American library: *The Tyburn Calendar, or Malefactors' Bloody Register* (c. 1700), *The Chronicle of Tyburn, or Villainy Display'd* (1720), *The Lives of the Most Remarkable Criminals* (1733), *Villainy Unmask'd* (1752), *The Bloody Register* (1764), *Tyburn Chronicle: or Villainy Display'd* (1768), *The New Newgate Calendar* (1773), *Malefactors' Register* (1779), *Trials for Adultery* (1779-80), *Celebrated Criminal Trials in Scotland* (by Hugo Arnot, Edinburgh, 1785), *Lives of the Most Remarkable Criminals* (1784), *Old Bailey Chronicle* (by James Mountague, 1788) . . . and so on, far into the nineteenth century. On a slightly higher level, collections of trials were issued in 1715, 1718, 1721, 1734-5, 1739, 1775-6; while a series called *State Trials* rolled like a snowball through six succeeding eighteenth-century issues and came to rest in 1815 as *A Complete Collection of State Trials*, finally edited by Thomas Bailey Howell in thirty-three volumes. To my way of thinking, every Bloody Register and Tyburn Calendar pales beside the actual courtroom records of those thirty-three volumes; it is the caviare of true crime, and I wish my friends no happier fortune than to acquire the taste.

I have tried in my compilation of villainy detected to give you a taste of the different ways in which the eighteenth century recorded crime. There is the broadside ballad, on page 18, with its journalistic "headline" and the tripping stanzas that could be sung by the street-singer to the tune of Packington's Pound. "The Daring Exploits of Jack Sheppard" illustrates the chap-book of commerce. "A Song on the Murder of Mr. Hays" is an ebullition of Tyburn wit. "Mary Blandy" comes from a Newgate Calendar, that of 1773. "Thief-takers, alias Thief-makers" is abridged from a pamphlet of 1756.

You are sure to ask me why my contemporary items are

so few. Why have I no sample of a sessions paper, or the ordinary of Newgate's report? Why, with a list before me of fifty-four contemporary pieces about Elizabeth Canning, did I choose a modern account by Edmund Pearson?

There are several reasons. For one thing, contemporary pamphlets are all incomplete and controversial—the longer the perspective, the better the account. The sessions papers are too long; George Borrow's abridgment of one in "Captain John Donellan" is the nearest I can come to a sessions paper.

As to the ordinary of Newgate, I do not slight him for lack of material. I happen to own one of his reports, entitled *The Ordinary of Newgate, his account of the behaviour, confession, and dying words, of the malefactors, who were executed at Tyburn, on Monday the 5th of this instant March, 1733. . . . London: Printed and sold by John Applebee, in Bolt-Court, near the Leg-Tavern, Fleet-Street. M.DCC.XXXIII. (Price Six-Pence).*

One of these malefactors was Sarah Malcolm, axe-murderess. Now there were some very interesting things about those axe murders, notably the first locked-room mystification in history—but the ordinary of Newgate didn't think them worth mentioning! With respect to Sarah and her fellow-sufferers, this is how *he* goes on:

"I expos'd to them the greatness and notoriousness of those Sins and Crimes, of which they were convicted, and for which they have died; particularly the Sin of Theft and Robbery, which hath always a train of other base Vices attending it, *viz.* lying, whoring, drinking, idleing away their time, neglecting the publick and private Worship of God, &c. . . . (&c. &c. &c.)

"They all attended in Chapel, and those who could Read made regular Responses, and all of them were very quiet, apparently serious and attentive at Prayers, Exhortations, and Singing of Psalms. . . ."

So much for the ordinary of Newgate. For something more sensational than an account of her singing in chapel, Sarah

Malcolm will have to wait until I can bring to bear on her the perspective of two hundred years.

I hope you will want to read more about my detected villains. The trials of Jemmy Annesley, Mary Blandy, Jack Sheppard, and the Douglas cause have been published in the Notable British Trials series; the first two are in *State Trials*, along with Elizabeth Canning and the thief-takers. You ought to read every word in the Lang, Harper, Postgate, Paget, Pearson, Roughead, and Borrow volumes mentioned in the introductions, and others by the same authors. If you liked George Parker's cant glossary, you will find a list of others in *The English Dictionary from Cawdrey to Johnson*, by DeWitt T. Starnes and Gertrude E. Noyes (1946). There are two modern Newgate Calendars, one edited by Edwin Valentine Mitchell in 1926, the other, in five volumes, put out by the Navarre Society in the same year. The latter draws on a list of famous eighteenth-century rogue's galleries which for brevity I omitted to name over in my list. Then, too, you might enjoy various accounts of bygone crimes by Lord Birkenhead, Robert Pitcairn, Hugh Childers, John Hill Burton, Horace Bleackley, and . . . the list is endless.

Though the list is endless, this letter must end; and so I take my leave, with renewed assurances of the candid Esteem of,

Ma'am,
Yours to command,
LILLIAN DE LA TORRE.

